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W. South Carolina Co

ACTS

AND

JOINT RESOLUTIONS

OF THE

GENERAL ASSEMBLY

OF THE

STATE OF SOUTH CAROLINA,

PASSED AT THE

REGULAR SESSION OF 1896.

PRINTED BY ORDER OF THE GENERAL ASSEMBLY AND DESIGNED TO FORM A PART
OF THE TWENTY-SECOND VOLUME OF THE STATUTES AT LARGE, COM-
MENCING WITH THE ACTS OF THE REGULAR SESSION OF 1896.

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ACTS AND JOINT RESOLUTIONS
OF THE
GENERAL ASSEMBLY

OF THE

STATE OF SOUTH CAROLINA

*Passed at the Regular Session which was begun and held at the
City of Columbia on the Fourteenth Day of January,
A. D. 1896, and was adjourned without day
on the Seventh Day of March, A. D. 1896.*

JOHN GARY EVANS, Governor. W. H. TIMMERMAN, Lieutenant-Governor and *ex officio* President of the Senate. IRA B. JONES and FRANK B. GARY, Speakers of the House of Representatives. ROBERT R. HEMPHILL, Clerk of the Senate. J. WALTER GRAY, Clerk of the House of Representatives.

PART I.

Laws General and Permanent in Nature.

No. 1.

AN ACT to Provide for the Election of a Commissioner to Codify the Statute Law of the State, Define His Duties and to Fix His Compensation.

A. D. 1896.

No. 4.

Section 1. Be it enacted by the General Assembly of the State of South Carolina, That a Code Commissioner shall be elected by the General Assembly for a term of ten years, and his salary shall be four hundred dollars per annum, payable quarterly, to be paid by the State Treasurer on the warrant of the Comptroller-General. In case of a vacancy

Election of
Code Commis-
sioner.

Salary.

Vacancy, how
filled.

A. D. 1896.

from any cause the General Assembly shall as early as practicable elect a Code Commissioner for the unexpired term: Provided, That the General Assembly shall as soon as practicable after the passage of this Act elect a Code Commissioner whose term of office shall be until the first session of the General Assembly in the year nineteen hundred and one, and each ten years thereafter to elect a Code Commissioner.

Duties of.

Section 2. The Code Commissioner shall collect and revise all the General Statute law of the State now of force, as well as that which shall be passed from time to time, and to properly index and arrange the said Statutes when so passed. He shall also reduce into a systematic Code the General Statutes, including the Code of Civil Procedure, with all the amendments thereto, and shall on the first day of the session for the year nineteen hundred and one, and at the end of every subsequent period of ten years, report the result of his labors to the General Assembly, with such recommendations and suggestions as to the abridgment and amendments as may be deemed necessary and proper. The said report, when ready to be made, shall be printed and laid on the desks of the members of both houses of the General Assembly on the first day of the first session, but shall not be taken up for consideration until the next session of the General Assembly.

Code, how declared law.

Section 3. The Code thus prepared by the Commissioner shall be declared by the General Assembly, in an Act passed according to the forms in the Constitution of 1895 for the enactment of laws, to be the only general statutory law of the State, and no alterations or additions to any of the laws therein contained shall be made except by Bill passed under the formalities required in the said Constitution.

Work of Code Commissioner to be examined.

Section 4. At each session of the General Assembly a Joint Committee consisting of three members shall be appointed, whose duty it shall be to inquire into the progress of the Code Commissioner in the work and to make a report to the two houses.

Repealing clause.

Section 5. All Acts or parts of Acts in conflict with this Act are hereby repealed.

Approved the seventh day of February, A. D. 1896.

No. 2.

A. D. 1896.

AN ACT to Declare the Law with Regard to References in Acts to the Revision of the Statutes Made in 1893.

No. 141.

Section 1. Be it enacted by the General Assembly of the State of South Carolina, That whenever in any Act heretofore or hereafter passed reference is made to the Revised Statutes of 1893 for the purpose of altering, amending, adding to or repealing any part thereof, such reference, alteration, amendment, addition or repeal shall be construed to apply to the original law purporting to be revised in said revision as fully and specifically as though such original law were mentioned in the Act containing such reference, alteration, amendments, addition or repeal.

Amendments may be made by reference to Revised Statutes of 1893.

Approved the ninth day of March, A. D. 1896.

No. 3.

AN ACT to Provide the Organization of the Supreme Court, to Define Its Powers and Jurisdiction, and to Provide for the Appointment of Its Officers and to Define Their Duties.

No. 0.

Section 1. Be it enacted by the General Assembly of the State of South Carolina, That the Supreme Court shall consist of a Chief Justice and three Associate Justices, who shall be elected by a joint viva voce vote of the General Assembly for the term of eight years, and shall continue in office until their successors are elected and qualified, and shall be so classified that one of them shall go out of office every two years. Any three of the Justices shall constitute a quorum. It shall be the duty of all the Justices to be present, and the Chief Justice shall preside. In the absence of the Chief Justice the Justice oldest in commission shall preside.

Supreme Court. Members of. Term of office, &c.

Section 2. The present Chief Justice and Associate Justices of the Supreme Court are hereby declared to be the Chief Justice and two of the Associate Justices of said Court until the terms for which they were elected shall expire, and the third Associate Justice shall be elected by the General Assembly at the present session.

Present members declared members until their time expires.

Section 3. That the successor of Associate Justice Y. J. Pope shall be elected at the present session of the General Assembly for a term of eight years, commencing on the first

Election.

A. D. 1896.

day of August in the year eighteen hundred and ninety-six; that the term of office of the third Associate Justice to be elected at the present session of the General Assembly shall commence upon his election and qualification and shall expire on the thirty-first day of July in the year nineteen hundred and two; that the successor of Chief Justice Henry McIver shall be elected by the General Assembly at its regular session in the year eighteen hundred and ninety-eight for a term of eight years from the first day of August in the year eighteen hundred and ninety-eight; that the successor of Associate Justice Eugene B. Gary shall be elected at the regular session of the General Assembly in the year nineteen hundred for a term of eight years commencing on the first day of August in the year nineteen hundred; and thereafter the successors of the Chief Justice and Associate Justices shall each be elected at the session next preceding the expiration of their respective terms for a term of eight years.

Court may adjourn if a quorum is not present.

Section 4. If at any stated term of the Court a quorum thereof shall not attend on the first day of the term, the Justice or Justices attending shall have the authority to adjourn the Court from day to day for ten days after the time appointed for the commencement of the said term unless a quorum shall sooner attend; or unless a sufficient number of men learned in the law commissioned by the Governor as provided in Section 12 of this Act to make a quorum shall sooner attend; and the business of the Court shall not in such case be continued over to the next stated term thereof until the expiration of said ten days.

Qualification of.

Section 5. The Justices of the Supreme Court shall qualify within twelve months after the date of their election by taking the Constitutional oath or the office shall be declared vacant by the Governor. The oath shall be administered by a Justice of said Court or by a Circuit Judge.

A Court of Record.

Section 6. The Supreme Court shall be a Court of record, and the records thereof shall at all times be subject to the inspection of the citizens of the State or other persons interested. The records shall be kept in the manner prescribed by the Justices of the Court.

Messenger and Librarian. How appointed.

Section 7. The Supreme Court shall appoint a Messenger of the Court, a Librarian, who shall be in charge of the Library of the Court, and an Attendant, to hold for the term

of four years, and subject to removal by the Court, and shall prescribe the duties of the officers so appointed. The Messenger shall receive an annual salary of two hundred dollars and the Librarian a salary of eight hundred dollars per annum. The Attendant shall receive a salary of two hundred dollars.

A. D. 1896.

Section 8. The Supreme Court shall also appoint a Clerk, who shall hold his office for four years, and who shall have the custody and keeping of its records, and shall furnish certified copies thereof to persons desiring the same, upon the payment of the fees prescribed by law. And he shall receive a fee of fifty cents for each remittitur in civil cases, to be taxed as their costs and disbursements, and a similar fee for each certificate. His salary shall be eight hundred dollars per annum, to be paid out of the State Treasury, on the warrant of the Comptroller-General.

Clerk of. Fees
and salary of
Clerk.

Section 9. The Supreme Court shall appoint a Reporter for the term of four years, who shall take the Constitutional oath before any one of the Justices or the Clerk of the Supreme Court. It shall be the duty of the Justices of the Supreme Court to deliver to the Reporter full notes of all decisions made by them which they shall deem of sufficient importance to publish. The Reporter shall faithfully prepare all such decisions for publication; and whenever in the opinion of the Court it shall be necessary for a proper understanding of the decision he shall report therewith a brief statement of the case and arguments. As often as the decisions of said Court shall be sufficient to constitute a volume of not less than four hundred pages it shall be the duty of the Reporter to procure to be printed and published, in a neat and substantial manner, of ordinary law size, one edition of not less than four hundred copies of such reports. It shall be his duty, in addition to the report of the cases which he may be instructed to publish under the order of the Court, to append the titles of all other cases decided by the Court during the period covered by each volume published by him, stating in a short note the principle or principles decided in each case, and also adding a list of all cases cited by the Court in its decisions, as well as what cases previously decided have been overruled, modified or confirmed and what statutes have been construed by said Court during said period. He shall also append to each

Reporter, how
appointed.
Duties and salary
of.

A. D. 1908.

volume an alphabetical list of all cases reported and an alphabetical list of all cases cited, criticised, affirmed, overruled or modified and a full and complete index to the contents of the volume. He shall receive a salary of nine hundred dollars per annum, payable upon the warrant of the Comptroller-General.

Salaries.

Section 10. The Chief Justice hereafter to be elected shall receive an annual salary of twenty-eight hundred and fifty dollars, and the Associate Justices hereafter to be elected shall each receive an annual salary of twenty-eight hundred and fifty dollars; they shall not be allowed any fees or perquisites of office, nor shall they hold any other office of trust or profit under the State, the United States or any other power.

**Vacancies,
how filled.**

Section 11. All vacancies in the Supreme Court shall be filled by elections as herein prescribed: Provided, That if the unexpired term does not exceed one year such vacancy may be filled by Executive appointment, but when a vacancy is so filled by either appointment or election the incumbent shall hold only for the unexpired term of his predecessor.

**Justices dis-
qualified in cer-
tain cases.**

Section 12. No Justice shall preside in any case, or at the hearing thereof, in which he may be interested, or when either of the parties shall be connected with him by affinity or consanguinity within such degrees as are now or may hereafter be prescribed by law, or in which he may have been counsel, or has presided in any inferior Court. In case all or any of the Justices of the Supreme Court shall be thus disqualified, or be otherwise prevented from presiding in any cause or causes, the Court, or the Justices thereof, shall certify the same to the Governor of the State, and he shall immediately commission specially the requisite number of men learned in the law for the trial and determination thereof. When such appointments are made by the Governor the actual traveling expenses of such person, and his actual expenses while so sitting, shall be paid by the Governor out of his civil contingent fund, on an itemized statement of such expenses certified by the person so appointed and serving.

**In such cases
places to be
temporarily fill-
ed. How.**

**Jurisdiction of
the Court.**

Section 13. The Supreme Court shall have power to issue writs or orders of injunction, mandamus, quo warranto, prohibition, certiorari, habeas corpus and other remedial

OF SOUTH CAROLINA.

7

and original writs: each of the Justices of the Supreme Court shall have the same power at chambers to administer oaths, issue writs of habeas corpus, mandamus, quo warranto, certiorari, prohibition and interlocutory writs or orders of injunction as when in open Court: Provided, An appeal shall be allowed from his decision to the Supreme Court.

A. D. 1898.

Section 14. Whenever in the course of any such action or proceeding in the Supreme Court, arising in the exercise of the original jurisdiction conferred upon the Court by the Constitution and laws of the State, an issue of fact shall arise upon the pleadings, or when an issue of fact shall arise upon a traverse to return in mandamus, prohibition, certiorari, or whenever the determination of any question of fact shall be necessary to the exercise of the jurisdiction conferred upon the Supreme Court, the said Court shall have power to frame an issue therein and certify the same to the Circuit Court for the County wherein the cause shall have originated, or in case of original jurisdiction to the Circuit Court of the County in which the cause of action shall have arisen. The Supreme Court shall also have the same powers as are now possessed by the Circuit Court of the State for the appointment of Referees to take testimony and report thereon, under such instructions as may be prescribed by said Court, in any cases arising in the Supreme Court wherein issues of fact shall arise.

Where issues
of fact arise.

Section 15. The Supreme Court shall have appellant jurisdiction only in cases of chancery, and in such appeals they shall review the findings of fact as well as the law, except in chancery cases when the facts are settled by a jury and the verdict not set aside.

Appellant
jurisdiction in
chancery.

Section 16. The Supreme Court shall have appellate jurisdiction for correction of errors of law in law cases, and shall review upon appeal:

In law cases.

1. Any intermediate judgment, order or decree in a law case involving the merits in actions commenced in the Court of Common Pleas and General Sessions, brought there by original process, or removed there from any inferior Court or jurisdiction, and final judgments in such actions: Provided, If no appeal be taken until final judgment is entered, the Court may upon appeal from such final judgment review any intermediate order or decree necessarily affecting the judgment not before appealed from.

A. D. 1896.

2. An order affecting a substantial right made in an action, when such order in effect determines the action and prevents a judgment from which an appeal might be taken, or discontinues the action, and when such order grants or refuses a new trial; or when such order strikes out an answer or any part thereof, or any pleading in any action; upon any appeal from an order granting a new trial on a case made, or on exceptions taken, if the Supreme Court shall determine that no error was committed in granting the new trial, it shall render judgment absolute upon the right of the appellant; and after the proceedings are remitted to the Court from which the appeal was taken, an assessment of damages, or other proceedings to render the judgment effectual, may be then and there had in cases where such subsequent proceedings are requisite.

3. A final order affecting a substantial right made in any special proceeding, or upon a summary application in any action after judgment, and upon such appeal to review any intermediate order involving the merits and necessarily affecting the order appealed from.

Powers of in cases of appeal.

Section 17. The Supreme Court may reverse, affirm or modify the judgment, decree or order appealed from in whole or in part, and as to any or all of the parties, and the judgment shall be remitted to the Court below to be enforced according to law. When a judgment or decree is reversed or affirmed by the Supreme Court, every point made and distinctly stated in the cause and fairly arising upon the record of the case shall be considered and decided, and the reason thereof shall be concisely and briefly stated in writing and preserved in the record of the case.

Decisions, when filed.

Section 18. The Justices of the Supreme Court shall file their decisions in sixty days from the last day of the Court at which the cases were heard.

How many must agree to constitute a judgment.

Section 19. In all cases decided by the Supreme Court the concurrence of three of the Justices shall be necessary for a reversal of the judgment below; but if the four Justices equally divide in opinion the judgment below shall be affirmed, subject to the provisions hereinafter prescribed. Whenever upon the hearing of any cause or question before the Supreme Court, in the exercise of its original or appellate jurisdiction, it shall appear to the Justices thereof, or any two of them, that there is involved a question of Con-

stitutional law, or of conflict between the Constitution and laws of this State and of the United States, or between the duties and obligations of her citizens under the same, upon the determination of which the entire Court is not agreed; or whenever the Justices of the said Court, or any two of them, desire it on any cause or question so before said Court, the Chief Justice, or in his absence the presiding Associate Justice, shall call to the assistance of the Supreme Court all of the Judges of the Circuit Court: Provided, That when the matter to be submitted is involved in an appeal from the Circuit Court the Circuit Judge who tried the case shall not sit. A majority of the Justices of the Supreme Court and Circuit Judges shall constitute a quorum. The decision of the Court so constituted, or a majority of the Justices and Judges sitting, shall be final and conclusive. In such case the Chief Justice, or in his absence the presiding Associate Justice, shall preside. Whenever the Justices of the Supreme Court and the Judges of the Circuit Court meet together for the purposes aforesaid, if the number thereof qualified to sit constitute an even number, then one of the Circuit Judges must retire, and the Circuit Judges present shall determine by lot which of their number shall retire. Whenever the Circuit Judges are called to sit with the Justice of the Supreme Court for the determination of any cause or causes, the actual traveling and other expenses of each Judge so attending shall be paid by the Governor out of his civil contingent fund, upon an itemized statement made out and certified to by each Judge.

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When all the
Circuit Judges
are required to
sit with the
Supreme Judges

Section 20. The Supreme Court shall hold annually at the seat of government two sessions, the one commencing on the fourth Tuesday in November, and the other the third Tuesday in April, and each of said terms shall be continued for so long a period as the public interest may require. Additional terms may be appointed and held at such times and places as the Court may direct, when the public interest may require it. When any two of the Justices request the Chief Justice to call an extra term he shall do so. The Court may by general rules require and provide what cases shall have preference on the Calendar.

Time of meet-
ings.

Section 21. Between the first and fifteenth days of December in each year the Chief Justice, or in his absence or inability to attend the senior Associate Justice, shall form

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Roster of Circuit Judges and assignment of made, how and by whom.

a roster of the Circuit Judges of the several Circuits in order to arrange a regular and continuous assignment and interchange of Circuits among said Judges, and make an order assigning the several Circuit Judges to hold the several Circuit Courts in all of the Circuits of the State for the whole of the succeeding year in such order as will affect a continuous interchange of Circuits according to said numerical series. Immediately thereupon the Chief Justice, or in his absence or inability to act the senior Associate Justice, shall direct the Clerk of the Supreme Court to furnish each of the Circuit Judges, as well as the Chief Justice and senior Associate Justice, with a certified copy of said order, which shall be sufficient notice to the said Circuit Judges of their assignment aforesaid, and they shall proceed to hold the Courts in the Circuits to which they are respectively assigned at the times appointed by law for the several Circuit Courts to be held, and the Clerk of the Supreme Court shall also forthwith transmit a certified copy of said order to the Clerk of every Circuit Court of the State. As a compensation for the services thus required of the Clerk of the Supreme Court, he shall be entitled to draw from the State Treasurer, upon the warrant of the Comptroller-General, who is hereby directed to issue the same, the sum of ten dollars, to be paid out of any money in the State Treasury not otherwise appropriated.

May require Sheriffs to serve process, &c.

Section 22. The Supreme Court is empowered to require the Sheriff of each and every County to whom any order or process issuing from said Court may be directed to serve and execute the same, and shall have the same power to enforce such service and execution and to punish default thereon as is vested in Circuit Courts in processes issuing therefrom. The Sheriff and Clerk of each and every County whenever required shall attend any hearing in any case by any of the Justices at the Court House in any of the Counties.

May call extra term, &c.

Section 23. If the cases from the several Circuits cannot be heard in the period allotted as prescribed in the following Section, the Court shall continue the same to be heard after the regular call of the Circuits, or may call an extra term for the hearing of the same or continue them until the next stated term thereafter.

Section 24. The Supreme Court shall on or before the last day of any stated term make and file an order designating the order in which the causes from the several Circuits shall be called at the stated term of the Court next ensuing, which order shall designate the time to be allotted to the hearing of causes from each Circuit, and also specify the day or days assigned for the hearing of cause from each particular County of each Circuit; and a copy of such order (certified by the Clerk of Supreme Court) shall be forthwith forwarded by him to the Clerk of every Circuit Court of the State.

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Shall publish order designating the causes to be heard and time of hearing.

Section 25. That all Acts or parts of Acts in conflict with this Act be, and the same are hereby, repealed.

Repealing clause.

Approved the nineteenth day of January, A. D. 1896.

No. 4.

AN ACT to Further Amend Section 2123 of the General Statutes, (Being Section 2254 Revised Statutes,) Relative to Circuit Courts in This State, so as to Provide for Special Courts and Special Judges.

No. 139.

Section 1. Be it enacted by the General Assembly of the State of South Carolina, That immediately after the approval of this Act, Section 2123 of the General Statutes, being 2254 of the Revised Statutes of 1893, be and is so amended as to read as follows: Section 2123. Whenever any Circuit Judge, pending his assignment to hold the Courts of any Circuit, shall die, resign, be disabled by illness, or be absent from the State, or in case of a vacancy in the office of Circuit Judge of any Circuit, or in case the Chief Justice or presiding Associate Justice of the Supreme Court shall order a special Court of Common Pleas and General Sessions, or Common Pleas, or General Sessions, in any County in this State, upon a satisfactory showing that such special Court is needed, the Chief Justice or presiding Associate Justice may assign any other Circuit Judge disengaged to hold the Courts of such Circuits, or to fill any appointment made necessary by such vacancy, or to hold such special Court; and in the event that there be no other Circuit Judge disengaged, then the

Special Courts, when and how created.

A. D. 1896.

Governor, upon the recommendation of the Supreme Court or the Chief Justice thereof if the Supreme Court be not in session, shall immediately commission as special Judge such person learned in the law as shall be recommended to hold Courts of such Circuit or to hold such special Court for that term only. And any special Judge so appointed shall receive as compensation for his services the same rate of salary now prescribed for Circuit Judges, to be estimated per diem during the time actually engaged, and to be paid in like manner as Circuit Judges are now paid. Whenever the time fixed for holding any of the Courts of General Sessions or Common Pleas in this State should be found to be not sufficient for the trial of all cases before said Court, a like assignment of a disengaged Circuit Judge or commission of a special Judge may be made to hold the Court to which the Judge then holding such overcrowded Court may have been in due course next assigned, and the term of such overcrowded Court shall proceed until the cases before it are disposed of.

Approved the ninth day of March, A. D. 1896.

No. 5.

No. 15. AN ACT to Provide for a Change of Venue in Civil and Criminal Cases in the Circuit and Magistrates Courts.

Section 1. Be it enacted by the General Assembly of the State of South Carolina, That the Circuit Courts shall have power to change the venue in all cases, civil and criminal, pending therein, and over which said Courts have original jurisdiction, by ordering the record to be removed to another County in the same Circuit. The application for removal must be made to the Judge sitting in regular term by some party interested or by the Solicitor of the Circuit, or accused, supported by affidavit that a fair and impartial trial cannot be had in the County where such action or prosecution was commenced. The State shall have the same right to make application for a change of venue that a defendant has in cases of murder, arson, rape, burglary, perjury, forgery or grand larceny: Provided, No change of

Change of
venue, when
and how made.

venue shall be granted in such cases until a true bill has been found by a grand jury. Ten day's notice of such application in civil and criminal cases shall be given to the adverse party, and if a change is ordered it shall be to a County in the same Judicial Circuit.

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Section 2. Magistrates shall have the power to change the venue in all cases, civil and criminal, pending before them: Provided, That in Counties where they have separate and exclusive territorial jurisdiction the change of venue shall be to another Magistrate's district in the same County. Whenever either party in a civil case, or the prosecutor or accused in a criminal case, which is to be tried before a Magistrate shall file with the Magistrate issuing the paper an affidavit to the effect that he does not believe he can obtain a fair trial before the Magistrate, the papers shall be turned over to the nearest Magistrate not disqualified from hearing said cause in the County, who shall proceed to try the case as if he had issued the papers: Provided, Such affidavit shall set forth the grounds of such belief, and in civil cases two days' notice of the application for change of venue shall be given to the adverse party. One such transfer only shall be allowed each party in any case.

How made in
Magistrates
Courts.

Section 3. All Acts or parts of Acts in conflict with this Act are hereby repealed.

Repealing
clause.

Approved the twelfth day of February, A. D. 1896.

No. 6.

AN ACT to Define the Jurisdiction of the City Court of Charleston and to Amend the Law with Reference to Juries Therein.

No. 8.

Whereas it has been judicially ascertained that the jurisdiction of the City Court of Charleston, as defined in Section 2127 of the General Statutes of 1882, appearing as Section 2259 of Vol. I of the Revised Statutes of 1893, was not in accordance with the Constitution of this State in force when the said General Statutes were enacted; and whereas it now becomes necessary that the jurisdiction of the said Court shall be defined under the Constitution of the State of

A. D. 1896.

South Carolina now in force; and whereas, under the present Constitution of this State, it hath become necessary to amend Section 2129 of the General Statutes, appearing as Section 2261 of Vol. I of the Revised Statutes of 1893, with reference to the formation of juries in the said City Court of Charleston: now, therefore,

Jurisdiction.

Section 1. Be it enacted by the General Assembly of the State of South Carolina, That the said Section 2127 of the General Statutes of 1882, appearing as Section 2259, Vol. 1 of the Revised Statutes of 1893, be, and the same is hereby, re-enacted; that is to say: Section 2127. The jurisdiction of the City Court of Charleston shall be limited to the trial of causes arising under the ordinances of the City Council of Charleston.

Jury list in Charleston, how provided.

Section 2. That said Section 2129 of the General Statutes of 1882, appearing as Section 2261, Vol. I, Revised Statutes of 1893, be, and the same is hereby, amended so that when amended the same shall read as follows; that is to say: Section 2129. To that end the City Council of Charleston shall cause a jury box for the said city to be made, and a jury list to be provided for the same by the City Sheriff, from which box jurors to serve for any one week of any term of the said Court shall be drawn, summoned and empaneled for the trial of causes, in like manner and under the same penalties as are established by law and usage in the Court of Common Pleas: Provided, That not more than eighteen jurors shall be drawn to serve at one Court, from whom a jury of six (or two juries, if the Recorder shall regard more than one jury necessary for the proper dispatch of the business before the Court,) shall be empaneled; and in case of non-attendance of the jurors so drawn and summoned their places may be supplied by talesmen drawn in the usual mode; but no person shall be liable to serve twice until all the names in the said jury box shall be drawn out.

Approved the eleventh day of February, A. D. 1896.

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No. 7.

AN ACT to Amend Section 827 of the Revised Statutes of 1893, Being Section 773 of the General Statutes of This State, Relating to the Bonds of the Judges of Probate.

No. 60.

Section 1. Be it enacted by the General Assembly of the State of South Carolina, That Section 827 of the Revised Statutes of 1893, being Section 773 of the General Statutes of this State, be amended by inserting between the words "dollars" and "for" on line nine the words "for Anderson County in the sum of fifteen thousand dollars." So that said Section when amended shall read as follows:

Section 827. (773.) Judges of Probate, before receiving their commissions, shall take the Constitutional oath of office and the several additional oaths required of such officers by Sections 501 and 502, and shall enter into bond conditioned for the faithful discharge of the duties of the office, which shall be duly executed, approved, certified, recorded and filed as prescribed in Chapter XVIII, Article 1. The bonds of the Judges of Probate for Charleston, Spartanburg and York Counties, respectively, shall be in the sum of ten thousand dollars; for Anderson County in the sum of fifteen thousand dollars; for Williamsburg County in the sum of two thousand dollars; for Horry County, two thousand five hundred dollars; and for all the other Counties, respectively, five thousand dollars. They shall qualify within thirty days after the election is declared.

Bonds of Probate Judges.

Approved the twenty-eighth day of February, A. D. 1896.

No. 8.

AN ACT to Amend Section 2234 of the General Statutes, as Amended by Act of 1893, Vol. XXI, Page 524, Statutes at Large and Contained in Section 2373, Vol. I, Revised Statutes 1893, so as to Authorize a Majority of the Board of Jury Commissioners to Act.

No. 157.

Section 1. Be it enacted by the General Assembly of the State of South Carolina, That Section 2234 of the General Statutes, as amended by Act of 1893, Vol. XXI, page 524, Statutes at Large, and contained in Section 2373, Vol. I,

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Jury Commission-
ers. Of
whom consti-
tuted.

Revised Statutes 1893, be amended so as to read as follows:

Section 2373. (2234.) The County Auditor, the County Treasurer and the Clerk of Court of Common Pleas and General Sessions of each County shall constitute the Board of Jury Commissioners for their respective Counties: Provided, In case any member of a Board of Jury Commissioners fails to attend for the purpose of drawing a jury, a majority of the Board may act.

Approved the ninth day of March, A. D. 1896.

No. 9.

No. 176. AN ACT to Amend Section 2375, 2376 and 2402 of Volume 1, Revised Statutes of 1893.

Section 1. Be it enacted by the General Assembly of the State of South Carolina, That Section 2236 of the General Statutes of South Carolina, 1882, same being Section 2375 of the Revised Statutes 1893, Vol. I, be, and the same is hereby, stricken out and the following inserted, to be known as Section 2375:

Clerks of
Court to furnish
list of number
of jurors.

Section 2375. The Clerks of the Court in each County in this State shall, on or before the 5th day of January of each year, prepare a statement, and deliver same to the County Board of Commissioners, of the number of jurors that will be required to be in attendance for each and every term of Court to be held in the County during the ensuing year, and the County Board of Commissioners of each County shall

County Board
of Commission-
ers to prepare
jury list.

in every year during the month of January prepare a list of such male inhabitants of their respective Counties, not absolutely exempt, as they may think well qualified to serve as jurors, being persons of good moral character, of sound judgment, and free from all legal exceptions, to be selected from the County at large, without regard to whether such persons live within seven miles or more, except in the Counties of Abbeville, Spartanburg and Orangeburg the list shall be prepared in the month of December, and the list so prepared by each County Board of Commissioners shall contain twice the number as reported by the Clerk of Court:

Provided, That in the County of Charleston the number of names to be placed on the list of inhabitants hereinbefore required shall not be less than one thousand.

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Section 2. That Section 2237 of the General Statutes of South Carolina, 1882, being Section 2376 of the Revised Statutes 1893, Vol. I, be, and the same is hereby, amended by striking out the words "Boards of Jury Commissioners," on the 1st and 2nd lines of said Section, and inserting in lieu thereof "County Board of Commissioners;" and by inserting between the words "furnished" and "them," on the sixth line, the word "by;" and by striking out after the word "them," on the sixth line, the words "by the County Board of Commissioners of their County." So that said Section as amended shall read: Section 2376. (2337.) Of the list so prepared the County Board of Commissioners shall cause the names to be written, each one on a separate paper or ballot, and shall fold up said pieces of paper or ballots so as to resemble each other as much as possible, so that the name written thereon shall not be visible on the outside, and shall place them in a box to be furnished by them for that purpose, and it shall be the duty of the Clerk of the Court to keep said jury box in his custody. The jury box shall be provided with three locks, each different. The key to one lock shall be kept by the Clerk of the Court, one by the Auditor and one by the Treasurer, so that no two of said Commissioners shall hold keys to the same lock. At the same time they shall place in a special apartment in the jury box the names of one hundred and fifty persons qualified by law to serve as jurors, who reside within seven miles of the court house, from which shall be drawn jurors to supply deficiencies arising from any cause or emergency during the sitting of the Court: Provided, 1. That in the County of Richland the number of names to be placed in the separate apartment shall be two hundred, and in the County of Charleston five hundred, and in the Counties of Georgetown and Williamsburg seventy-five; 2. That in the County of Chester the number of names to be placed in the separate apartment shall be fifty, who reside within five miles of the court house; 3. That in the Counties of Richland and Orangeburg the names placed in the tales box shall be in addition to and exclusive of the number of names required

List and names of jurors, how prepared.

Jury box and keys thereto.

Tales box.

A. D. 1896.

by law to be placed in the jury box; 4. That the names of persons liable to jury duty and living within seven miles of the court house may be placed both in the regular jury box and in the tales box, except in the Counties of Richland and Orangeburg.

Special provisions for Spartanburg, Abbeville, Fairfield, Newberry and Sumter Counties.

Section 3. That Section 2402 of Volume I of the Revised Statutes of 1893 be, and the same is, amended so that when amended the said Section shall read as follows: Section 2402. For the January, June and November terms of the Court of General Sessions for Spartanburg County thirty-six jurors shall be drawn, in the manner provided by law, to serve for each of said terms, and for the January, July and November terms of the Court of Common Pleas for Spartanburg County thirty-six jurors shall in like manner be drawn to serve for each of said terms; for the Fall terms of the Courts of General Sessions and Common Pleas for the County of Abbeville and for the Spring and Fall terms thereof for the Counties of Fairfield, Newberry and Sumter, respectively, thirty-six jurors shall be drawn, in the manner provided by law, to serve for the first week, and a like number shall be so drawn to serve for the remainder of each of said terms, and separate writs of venire shall issue for the jurors drawn as aforesaid; but whenever a jury shall be charged with a case, such jury shall not be discharged by reason of anything in this Section contained until a verdict shall have been found or a mistrial ordered in such case.

Approved the ninth day of March, A. D. 1896.

No. 10.

No. 33. AN ACT to Regulate the Law in Reference to the Attendance of Petit Jurors Upon the Courts of General Session and Common Pleas in This State.

When petit jurors may be discharged.

Section 1. Be it enacted by the General Assembly of the State of South Carolina, That all jurors summoned to serve at any term of the Courts of General Sessions or Common Pleas may be held beyond the period for which they were summoned until all cases in both of said Courts to be tried

by jury are disposed of or until another jury shall have been empaneled to try such cases: Provided, That nothing contained in this Act shall apply to Courts of General Sessions and Common Pleas for York County.

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Section 2. That this Act go into effect immediately upon its passage.

Approved the twenty-fifth day of February, A. D. 1896.

No. 11.

AN ACT to Pay Jurors and State Witnesses Ferriage Paid by Them While Attending Courts in Their Respective Counties. No. 13.

Section 1. Be it enacted by the General Assembly of the State of South Carolina, That from and after the passage of this Act, all jurors and State witnesses shall be paid, in addition to the per diem and mileage now received by them, the ferriage which they are required to pay in attending the Courts of their respective Counties.

Ferriage to be paid jurors and witnesses.

Approved the eleventh day of February, A. D. 1896.

No. 12.

AN ACT to Exempt the Officers and Active Members of the Fire Department of Any City or Town of Ten Thousand or More Inhabitants from Jury Duty. No. 34.

Section 1. Be it enacted by the General Assembly of the State of South Carolina, That from and after the passage of this Act all the officers and active members of the fire department of any city or town of ten thousand or more inhabitants shall be exempt from jury duty.

Firemen exempt from jury duty.

Approved the twenty-fifth day of February, A. D. 1896.

A. D. 1896.

No. 13.

No. 134. AN ACT to Validate the Jury List Prepared During the Month of January, 1896.

Jury list prepared in January, 1896, declared valid.

Section 1. Be it enacted by the General Assembly of the State of South Carolina, That the jury list prepared in the several Counties of this State during the month of January, as required now by law, be, and the same are hereby, declared valid, regardless of the fact as to whether they were drawn in the proportion of the voters as required by Section 2375 of the Revised Statutes 1893, Vol. 1.

Approved the ninth day of March, A. D. 1896.

No. 14.

No. 136. AN ACT to Fix the Times for Holding the Courts in the Second Circuit.

Section 1. Be it enacted by the General Assembly of the State of South Carolina, The Circuit Courts of the Second Circuit shall be held as follows:

1. The Fall terms:

Fall terms of Court for Beaufort.

The Court of General Sessions at Beaufort, for the County of Beaufort, on the first Monday of September, and the Court of Common Pleas at the same place on the Monday following said Monday.

Colleton.

The Court of General Sessions at Walterboro, for the County of Colleton, on the third Monday in September, and the Court of Common Pleas at the same place on the Wednesday following said Monday.

Hampton.

The Court of General Sessions at Hampton on the first Monday in October, and the Court of Common Pleas at the same place on the Wednesday following said Monday.

Aiken.

The Court of General Sessions at Aiken, for the County of Aiken, on the third Monday in September, and the Court of Common Pleas at the same place on the Wednesday following the said Monday.

Barnwell.

The Court of General Sessions at Barnwell, for the County of Barnwell, on the first Monday in November, and the Court of Common Pleas at the same place on the Wednesday following said Monday.

2. The Winter term:

The Court of General Sessions at Beaufort, for the County of Beaufort, on the first Monday in January, and the Court of Common Pleas at the same place on the Monday following the said Monday.

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Winter terms
of Court for
Beaufort.

The Court of General Sessions at Walterboro, for the County of Colleton, on the third Monday of January, and the Court of Common Pleas at the same place on the Wednesday following said Monday.

Colleton.

The Court of General Sessions at Hampton, for the County of Hampton, on the first Monday in February, and the Court of Common Pleas at the same place on the Wednesday following said Monday.

Hampton.

The Court of General Sessions at Aiken, for the County of Aiken, on the third Monday of February, and the Court of Common Pleas at the same place on the Wednesday following said Monday.

Aiken.

The Court of General Sessions at Barnwell, for the County of Barnwell, on the second Monday in March, and the Court of Common Pleas at the same place on the Wednesday following said Monday.

Barnwell.

3. The Summer term:

The Court of General Sessions at Beaufort, for the County of Beaufort, on the fourth Monday in May.

Summer
terms.

The Court of General Sessions at Walterboro, for the County of Colleton, on the first Monday of June.

The Court of General Sessions at Hampton, for the County of Hampton, on the second Monday in June.

The Court of General Sessions at Aiken, for the County of Aiken, on the third Monday in June.

The Court of General Sessions at Barnwell, for the County of Barnwell, on the second Monday in July.

4. That the jurors for the Summer terms at Barnwell shall be drawn to serve the two weeks if necessary.

Jurors for
Barnwell.

5. That the jurors drawn for the second week of the Spring term at Aiken shall serve for two weeks if necessary.

For Aiken.

Section 6. That nothing contained in this Act shall be construed to interfere with or prevent the holding of the Court at Barnwell in March, 1896, and the Court at Aiken in April, 1896.

A. D. 1896.

Section 7. That all Acts or parts of Acts repugnant to this Act are hereby repealed.

Approved the ninth day of March, A. D. 1896.

No. 15.

No. 35. AN ACT to Amend an Act Entitled "An Act to Fix the Time of the Sitting of the Circuit Courts in the Third Judicial Circuit," Approved December 28rd, A. D. 1889.

Section 1. Be it enacted by the General Assembly of the State of South Carolina, That an Act entitled "An Act to fix the time of the sitting of the Circuit Courts in the Third Judicial Circuit," approved December 23rd, A. D. 1889, be, and said Act is, amended so as to read as follows: "Section 1. That the Circuit Courts of the Third Judicial Circuit of this State shall be held as follows:

Courts in Florence County.

The Court of General Sessions at Florence, for the County of Florence, on the last Monday in January, the fourth Monday in May and the second Monday in September, and the Court of Common Pleas at the same place on the Wednesdays following the last Monday in January, the fourth Monday in May and the second Monday in September.

Georgetown.

2. The Court of General Sessions at Georgetown, for the County of Georgetown, on the second Monday in February, the second Monday in May and the eighth Monday after the third Monday in September, and the Court of Common Pleas at the same place on the Wednesdays first succeeding the Mondays herein fixed for the holding of the Court of General Sessions at said place.

Williamsburg.

3. The Court of General Sessions at Kingstree, for the County of Williamsburg, on the third Monday in February, the third Monday in May, and the sixth Monday after the third Monday in September, and the Court of Common Pleas at the same place on the Wednesdays first succeeding the Mondays herein fixed for holding the Court of General Sessions at said place, except the May term thereof.

Clarendon.

4. The Court of General Sessions at Manning, for the County of Clarendon, on the fourth Monday in February, the first Monday after the fourth Monday in May, and the

fourth Monday after the third Monday in September, and the Court of Common Pleas at the same place on the Wednesdays first succeeding the Mondays herein fixed for holding the Court of General Sessions at said place, except the May term thereof: Provided, That no peremptory call of Calendar No. 1 shall be made in said County of Clarendon at the Fall term before the fifth Monday after the third Monday in September.

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5. The Court of General Sessions at Sumter, for the County of Sumter, on the first Monday after the fourth Monday in February, the second Monday after the fourth Monday in May, and the second Monday after the third Monday in September, and the Court of Common Pleas at the same place on the Thursdays first succeeding the Mondays herein fixed for holding the Court of General Sessions at said place except the May term thereof: Provided, That no peremptory call of Calendar No. 1 shall be made in said County of Sumter before the second Monday after the fourth Monday in February and the third Monday after the third Monday in September.

Sumter.

Section 2. That nothing contained in this Act shall be construed to prevent the presiding Judge from hearing and determining in any of the Counties of the Third Circuit at the Summer term of the Court all cases which do not require the intervention of a jury.

May hear all cases requiring a jury at Summer term.

Section 3. That so much of all Acts or parts of Acts as is inconsistent with the provisions of this Act be, and the same is hereby, repealed.

Repealing clause.

Section 4. That this Act shall go into effect immediately upon its approval.

Approved the twenty-fifth day of February, A. D. 1896.

No. 16.

AN ACT to Fix the Times and Provide for the Holding of the Circuit Courts of the Fifth Judicial Circuit. No. 188.

Section 1. Be it enacted by the General Assembly of the State of South Carolina, That from and after the Saturday before the fourth Monday in March, 1896, the Circuit Courts

- A. D. 1896.**
Courts in Kershaw County.
 of the Fifth Judicial Circuit shall be held as follows: 1. The Court of General Sessions at Camden, for the County of Kershaw, on the first Mondays in February, June and September, and the Court of Common Pleas at the same place on the Thursdays following the first Mondays in February and September. 2. The Court of General Sessions at Lexington, for the County of Lexington, on the third Monday in February, the second Monday in June and the third Monday in September, and the Court of Common Pleas at the same place on the fourth Mondays in February and September. 3. The Court of General Sessions at Edgefield, for the County of Edgefield, on the second Monday of March, first Monday of August and the third Monday of November, and the Court of Common Pleas at the same place on the third Monday in March and the fourth Monday in November. 4. The Court of General Sessions at Richland, for the County of Richland, on the first Monday of April, the fourth Monday of June and the third Monday of October, and the Court of Common Pleas at the same place on the second Monday in April, the first Monday after the fourth Monday in June and the fourth Monday in October. 5. The Court of General Sessions at Saluda Court House, for the County of Saluda, on the first Monday of May, the third Monday of August and the first Monday of December, and the Court of Common Pleas at the same place on the second Monday in May and on the second Monday in December.
- When to go into effect as to Saluda.**
 Section 2. That the provisions of this Act so far as the same relate to the County of Saluda shall not be operative until the first day of December, 1896, and on which said day it shall take effect.
- Special provisions as to Lexington.**
 Section 3. That a panel of thirty-six jurors shall be drawn to serve for one week for the Courts of General Sessions and Common Pleas in Lexington County for the terms commencing on the third Mondays in February and September in each year, and a like panel for said Courts to serve for the remainder of each of such term commencing on the fourth Mondays in February and September of each year.
- Calendars, when called.**
 Section 4. That the presiding Judge shall call calendars two (2) and three (3) peremptorily at the close of the Sessions Court in Lexington County in February and September in each year if the Sessions Court is adjourned before the time herein fixed for holding the Courts of Common Pleas for said terms.

Approved the ninth day of March, A. D. 1896.

No. 17.

A. D. 1896.

AN ACT to Amend Section 24 of Title III, Code of Procedure, as to the Holding of the Courts in the Seventh Judicial Circuit.

No. 122.

Section 1. Be it enacted by the General Assembly of the State of South Carolina, That Section 24 of Title III of the Code of Procedure be, and the same is hereby, amended by striking out all after the word "follows" down to and including the words "the third Monday in October," and that the following be substituted in lieu thereof: 1st. The Court of General Sessions at Union, for the County of Union, on the fourth Monday in January, the first Monday in July and the third Monday in September, and the Court of Common Pleas at the same place on the Wednesdays following the fourth Monday in January and the third Monday in September.

Courts in
Union County.

2nd. The Court of General Sessions at Laurens, for the County of Laurens, on the second Monday in February, the third Monday in July and the first Monday in October, and the Court of Common Pleas at the same place on the Wednesdays following the second Monday in February and the first Monday in October.

Laurens.

3rd. The Court of General Sessions at Newberry, for the County of Newberry, on the first Monday in March, the second Monday in July and the third Monday in October, and the Court of Common Pleas at the same place on the second Monday in March and the fourth Monday in October: Provided, however, That provisions of Section 27 of the Code of Civil Procedure shall not apply to the Courts of Newberry County.

Newberry.

4th. The Court of General Sessions at Spartanburg, for the County of Spartanburg, on the second Monday in January, the second Monday before the first Monday in July and the second Monday in November, and the Court of Common Pleas at the same place on the fourth Monday in March, the fourth Monday in July and the fourth Monday in November: Provided, however, That provisions of Section 27 of Civil Procedure shall not apply to the Courts of Spartanburg County.

Spartanburg.

Section 2. This Act shall go into effect the first day of May, 1896.

Approved the ninth day of March, A. D. 1896.

A. D. 1896.

No. 18.

No. 10. AN ACT to Fix the Times for Holding the Circuit Courts in the Eighth Circuit.

Section 1. Be it enacted by the General Assembly of the State of South Carolina, That the Circuit Courts of the Eighth Circuit shall be held as follows:

Courts for
Abbeville Coun-
ty.

1. The Court of General Sessions at Abbeville, for the County of Abbeville, on the third Monday in January, the first Monday in June and the fourth Monday in September. The Court of Common Pleas for said County at the same place on the Wednesday following the third Monday in January, the first Monday in June and the fourth Monday in September.

Anderson.

2. The Court of General Sessions at Anderson, for the County of Anderson, on the third Monday in February, the third Monday in June and the second Monday in October, and the Court of Common Pleas for the said County at the same place on the Wednesday next following the third Monday in February, the third Monday in June and the second Monday in October.

Oconee.

3. The Court of General Sessions at Walhalla, for the County of Oconee, on the first Monday in February, the first Monday in June and the second Monday in September, and the Court of Common Pleas for said County at the said place on the Wednesday next following the first Monday in February, the first Monday in July and the second Monday in September.

Pickens.

4. The Court of General Sessions at Pickens, for the County of Pickens, on the first Monday in March, the second Monday in July and the fourth Monday in October, and the Court of Common Pleas for the said County at the same place on the Wednesday next following the first Monday in March, the second Monday in July and the fourth Monday in October.

Greenville.

5. The Court of General Sessions at Greenville, in the County of Greenville, on the Tuesday following the third Monday in March, the Tuesday following the third Monday in July and the Tuesday following the second Monday in November. The Court of Common Pleas for the said Coun-

ty at the same place on the Wednesday next following the Tuesday following the third Monday in March, the third Monday in July and the second Monday in November.

A. D. 1896.

6. No civil business requiring a jury shall be heard at the Summer term of Court of Common Pleas for any County in said Circuit, except in the County of Greenville:

Jury cases not
tried at Summer
term. Excep-
tion.

Section 2. That all recognizances and other process which are now returnable to the next ensuing terms of the Courts of General Sessions and Common Pleas are hereby made valid, binding and returnable to the terms of the Courts as provided for in this Act.

Process made
binding.

Section 3. That this Act shall take effect on and after the first day of May, A. D. 1896.

When to take
effect.

Section 4. That all Acts and parts of Acts inconsistent with this Act, be, and the same are hereby, repealed.

Repealing
clause.

Approved the eleventh day of February, A. D. 1896.

No. 19.

AN ACT Relating to the Powers of Municipal Courts.

No. 87.

Section 1. Be it enacted by the General Assembly of the State of South Carolina, That the municipal Courts of this State shall have the power, in their discretion, for violation of the rules, by-laws, regulations and ordinances of the cities or towns for which such Courts are held, to imprison for not more than thirty days. Every person so sentenced to imprisonment, either directly or in consequence of a failure to pay a fine imposed, may, in the discretion of the municipal Court, be sentenced to labor upon the highways, streets and other public works of such cities and towns for not more than thirty days.

Jurisdiction
of municipal
Courts.

Approved the ninth day of March, A. D. 1896.

A. D. 1896.

No. 20.

No. 28. AN ACT Relative to Recognizances, Stipulations, Bonds and Undertakings, and to Allow Certain Corporations to be Accepted as Surety Thereon.

Recognizances, &c., may be made with guarantee companies as surety; when.

Section 1. Be it enacted by the General Assembly of the State of South Carolina, That whenever any recognizance, stipulation, or bond, or undertaking conditioned for the faithful performance of any duty, or for doing or refraining from doing anything in such recognizance, stipulation, bond or undertaking specified, is by the laws of the State of South Carolina required or permitted to be given with one surety or with two or more sureties, the execution of the same or the guaranteeing of the performance of the condition thereof shall be sufficient when executed or guaranteed solely by a corporation empowered by its charter to issue bonds or policies of suretyship, and having power to guarantee the fidelity of persons holding positions of public or private trust, and to execute and guarantee bonds and undertakings in judicial proceedings: Provided, That said company shall first obtain the consent and approval of the Governor, Comptroller-General and Secretary of State as now provided by law;

Such recognizances, &c., to be approved; by whom.

Provided, further, That such recognizance, stipulation, bond or undertaking be approved by the head of department, Court, Judge, officer, Board or body, executive, legislative or judicial, required to approve or accept the same. But no officer or person having the approval of any bond shall exact that it shall be furnished by a guarantee company or by any particular guarantee company;

Such company to comply with the law of this State.

Provided, further, That said company, unless it be incorporated under the laws of the State of South Carolina, comply with the law now of force in this State regulating foreign insurance companies.

Section 2. That all Acts or parts of Acts inconsistent with this Act be, and the same are hereby, repealed.

Approved the twenty-fifth day of February, A. D. 1896.

No. 21.

A. D. 1896.

AN ACT to Provide for Holding Elections in This State.

No. 187.

Section 1. Be it enacted by the General Assembly of the State of South Carolina, That general elections for Federal, State and County officers in this State shall be held on the first Tuesday following the first Monday in November, one thousand eight hundred and ninety-six, and in every second year thereafter, and at such voting places as have been or may be established by law; and all general or special elections held pursuant to the Constitution of the State shall be regulated and conducted according to the rules, principles and provisions herein prescribed.

State elections, when held.

Section 2. For the purpose of carrying on such election it shall be the duty of the Governor, and he is hereby authorized and empowered, at least thirty days prior to any such election, to appoint for each County three Commissioners of Election for Governor, Lieutenant-Governor, State officers, Circuit Solicitors, members of the General Assembly and County officers, and three other Commissioners of Election for Presidential Electors and members of Congress, or either of said officers, who shall continue in office until their successors are appointed and qualified. The Commissioners of Election for State and County officers shall appoint three Managers of Election for such officers; and the Commissioners of Election for members of Congress and Presidential Electors, or either of said officers, shall appoint three other Managers of Election for said officers for each polling place at each election precinct of the County for which they shall respectively be appointed, and none of said officers shall be removed from office except for incompetence or misconduct. The said Commissioners and Managers shall take and subscribe, before any officer authorized to administer oaths, the oath of office prescribed by Section 20 of Article II of the Constitution, and the oath with respect to dueling, and the same shall be immediately filed in the office of the Clerk of the Court of Common Pleas of the County in which said Commissioners and Managers shall be appointed, or, if there be no such Clerk, in the office of the Secretary of State.

Commissioners of Elections, how appointed.

Managers.

Oaths to be taken.

A. D. 1896.

Managers
may appoint a
clerk.

Section 3. The Managers may appoint a clerk to assist them in their duties, who shall take the oath of office prescribed by Section 30 of Article II of the Constitution, and the oath with regard to dueling, before the Chairman of the Board of Managers. The Commissioners and Managers at their first meetings, respectively, shall proceed to organize as a Board by appointing one of their number Chairman of the Board; and such Chairman, in each instance, is empowered to administer oaths.

How organ-
ized.

Polls, when
opened.

Section 4. The polls shall be opened, at such voting places as shall be designated, at 7 o'clock in the forenoon, and close at 4 o'clock in the afternoon of the day of election, except in the city of Charleston, where the closing hours shall be six o'clock, and shall be kept open during those hours without intermission or adjournment; and the Managers shall administer to each person offering to vote an oath that he is qualified to vote at this election, according to the Constitution of this State, and that he has not voted during this election.

Oath to be ad-
ministered to
voters.

State Constables
to preserve
order.

Section 5. The Deputy State Constables and other peace officers of each County are required to be present during the whole time that the polls are open and until the election is completed; they shall prevent all interference with the Managers, act under their direction, and see that there is no interruption of good order. If there should be more than one voting place in any County, the State Constable is empowered and directed to make such assignment of his deputies and other peace officers to such polling places as may, in his judgment, best subserve the purposes of quiet and order. All bar rooms, saloons and other places for the sale of liquors by retail shall be closed at 6 o'clock of the the evening preceding the day of such election, and remain closed until 6 o'clock in the morning of the day thereafter, during which time the sale of intoxicating liquors is prohibited. And in case all of the Managers shall fail to attend at the time and place appointed for holding such poll, or shall refuse or fail to act, or in case no Manager has been appointed for such poll, it shall be lawful for the voters present at the precinct voting place on that day to appoint from among the qualified voters of such precinct the Managers to act as Managers in the place and stead of the absent Managers, and any one of the Managers so appointed shall administer

Places for
sale of liquors
to be closed.

the oath to the other Managers: Provided, That in case the legally appointed Managers attend in a reasonable time, they shall take charge of and conduct the election.

A. D. 1896.

Section 6. The voting shall be by ballot, which ballot shall be of plain white paper two and a half inches wide by five inches long, clear and even cut, without ornament, designation, mutilation, symbol or mark of any kind whatsoever except the name or names of the person or persons voted for and the office to which such person or persons are intended to be chosen, which name or names, office or officers, shall be written or printed, or partly written or partly printed, thereon in black ink; and such ballot shall be so folded as to conceal the name or names thereon, and, so folded, shall be deposited in a box to be constructed, kept and disposed of as hereafter provided; and no ballot of any other description found in any election box shall be counted.

Description of ballot.

Section 7. There shall be separate and distinct ballots for the following officers, to wit: 1. Governor and Lieutenant-Governor. 2. Other State officers. 3. Circuit Solicitor. 4. State Senator. 5. Members of the House of Representatives. 6. County officers. 7. Representatives in Congress. 8. Presidential elector; on which shall be the name or names of the person or persons voted for as such officers, respectively, and the office for which they are voted. Whenever a vote is to be taken on any special question or questions a box shall be provided, properly labeled for that purpose, and the ballots therefor on such question or questions shall be deposited therein.

Officers to be voted for.

Section 8. The Commissioners of Election shall provide for each voting place a sufficient number of boxes to meet the requirements of the foregoing Section. In any case in which a voting precinct may form part of more than one Congressional District, if no other provision be made by law, the Commissioners of Election for the County in which such precinct is situated shall provide therefor separate boxes for every Congressional District within which the said precinct may be, and each voter at such precinct shall deposit his ballot for members of Congress in the box provided for the Congressional District within the limits of which he may reside. An opening shall be made in the lid of each box not larger than sufficient for a single ballot to

Boxes to be provided.

Description.

A. D. 1896.

be inserted therein at one time, through which each ballot received proper to be placed in such box shall be inserted by the person voting, and by no other. Each box shall be provided with a sufficient lock, and shall be publicly opened and inspected, to show that it is empty and secure, and locked just before the opening of the poll. The keys shall be returned to the Managers, and the box shall not be

To be labeled.

opened during the election. Each box shall be labeled in plain and distinct Roman letters with the office or officers voted for, and the Managers, on the demand of the voter, shall be required to read to him the names on the boxes.

Polls, how to be arranged.

At each precinct a space or enclosure, such as the Managers of Election shall deem fit and sufficient, shall be railed off or otherwise provided with an opening at one end or side for the entrance of the voter, and an opening at the other for his exit, as a voting place in which to hold the election for the State, Circuit, County and Federal offices. And the ballot box shall be so located as to be in view of persons outside of the polling place during the time of voting. A

Separate space for Federal elections.

similar, but separate and distinct, space or enclosure shall be railed off, or otherwise provided, as a voting place for the election of Congressmen and Presidential electors, at such distance from the polling place for State officers as the Commissioners of Election for each County shall determine and appoint for each election precinct. But one voter shall be allowed to enter any voting place at a time, and no one except the Managers shall be allowed to speak to the voter while in the voting place casting his vote.

Qualifications for voting.

Section 9. At the general election for the year 1896, and all special elections thereafter held up to the first day of January, A. D. 1898, the Managers of Election shall require of every elector offering to vote at such election, before allowing him to vote, in addition to the production of a registration certificate, proof of the payment of poll tax six months before said election of any poll tax then due and payable. After the first day of January, A. D. 1898, they shall require of any elector offering to vote at any election, before allowing him to vote, in addition to the production of a registration certificate, proof of the payment of all taxes, including poll tax, assessed against him and collectible during the previous year. The production of a certificate or of the receipt of the officer authorized to collect such taxes shall be conclusive proof of the payment thereof.

Section 10. Each clerk of the poll shall keep a poll list, which shall contain one column headed "Names of Voters," and the name of each elector voting shall be entered by the clerk in such column.

A. D. 1896.
Duties of clerk.

Section 11. At the close of the election the Managers and clerk shall immediately proceed publicly to open the ballot box and count the ballots therein, and continue such count, without adjournment or interruption, until the same is completed, and make such statement of the result thereof, and sign the same, as the nature of the election shall require. No ballot shall be counted upon which there shall appear the name of an office or the name of a person in connection with an office other than that for which the box in which such ballot is found shall be designated and labeled. If, in counting, two or more like ballots shall be found folded together compactly, only one shall be counted, the other must be destroyed; but if they bear different names all must be destroyed and none counted. If more ballots shall be found on opening the box than there are names on the poll list, all the ballots shall be returned to the box and thoroughly mixed together, and one of the Managers or the clerk shall, without seeing the ballots, draw therefrom and immediately destroy as many ballots as there are in excess of the number of names on the poll list. Within three days thereafter the Chairman of the Board of Managers, or one of them to be designated in writing by the Board, shall deliver to the Commissioners of Election the poll list, the boxes containing the ballots and a written statement of the result of the election in his precinct.

Ballots, how to be counted.

Returns to be made to Commissioners of Election.

Section 12. That all Acts or parts of Acts in conflict with this Act be, and the same are hereby, repealed.

Repealing clause.

Approved the ninth day of March, A. D. 1896.

No. 22.

AN ACT to Provide for the Registration of all Electors in This State Qualified to Vote in State, County, Municipal, Congressional and Presidential Elections.

No. 77.

Section 1. Be it enacted by the General Assembly of the State of South Carolina, That up to and including January 1st, 1898, every male citizen of this State and the United

A. D. 1896.

Qualifications
for registering
as electors up
to January 1st,
1896.

States of the age of twenty-one years and upward, not laboring under the disabilities named in the Constitution of 1895 of this State, who shall have been a resident in the State for two years, in the County for one year, in the polling precinct in which the elector offers to vote four months before any election, and who shall have paid six months before any election any poll tax then due and payable, and who can read any Section in the said Constitution submitted to him by the registration officer or officers, or can understand and explain it when read to him by the registration officer or officers, shall upon applying for registration be entitled to register and become an elector. After January

Qualifications
after January
1st, 1896.

1st, eighteen hundred and ninety-eight, every male citizen of this State and the United States twenty-one years of age and upwards, not laboring under disabilities named in the Constitution of 1895 of this State, who shall have been a resident in the State for two years, in the County one year. in the polling precinct in which the elector offers to vote four months before any election, and shall have paid six months before any election any poll tax then due and payable, and who can both read and write any Section of the said Constitution submitted to him by the registration officer or officers, or can show that he owns, and has paid all taxes collectible during the previous year on property in this State assessed at three hundred dollars or more, and who shall apply for registration, shall be registered: Provided, That ministers in charge of an organized church and teachers of public schools shall be entitled to vote after six months' residence in the State if otherwise qualified:

Who are dis-
qualified.

Provided, further, That persons who are idiots, insane, paupers supported at the public expense, and persons confined in any public prison shall be disqualified from being registered or voting: And provided, further, That persons convicted of burglary, arson, obtaining goods or money under false pretenses, perjury, forgery, robbery, bribery, adultery, bigamy, wife-beating, housebreaking, receiving stolen goods, breach of trust with fraudulent intent, fornication, sodomy, incest, assault with intent to ravish, miscegenation, and larceny, or crimes against the election laws, shall be disqualified from being registered or voting, unless such disqualification shall have been removed by the pardon of the Governor.

Section 2. No person shall be allowed to vote at any election hereafter to be held unless he shall have been registered as herein required.

A. D. 1896.

No person to vote unless registered.

Section 3. On or before the sixth day of March, eighteen hundred and ninety-six, the Governor shall appoint by and with the advice and consent of the Senate if in session, and if not in session subject to its approval at its next session, subject to removal by the Governor for incapacity, or misconduct, or neglect of duty, three discreet persons in each County, who shall be citizens and electors thereof, and who shall be known as the Board of Registration of _____ County, whose duty it shall be to register and to conduct the registration of the electors who shall apply for registration in such County as herein required. At their first meeting they shall qualify and organize by the election of one of their number as Chairman and one of their number as clerk, any two of whom shall constitute a quorum. The office of the said Board shall be at the County seat and the said Board shall keep a record of all its official acts and proceedings. The term of office of each and every member of the Boards of Registration so appointed shall continue until the first day of February, eighteen hundred and ninety-eight, and until his successor shall have been appointed and shall qualify: Provided, That the said Boards of Registration shall not register electors after the first January, 1898: Provided, That in case of a vacancy or vacancies from any causes in the Board of Registration the Governor shall fill such vacancy or vacancies by and with the advice and consent of the Senate, as aforesaid.

Boards of Registration; how appointed; duty of.

Office of; where kept.

Term of office.

Vacancy in Board, how filled.

Section 4. Between the first day of January and the first day of February, eighteen hundred and ninety-eight, and between said dates in every second year thereafter, the Governor shall appoint by and with the advice and consent of the Senate if in session, and if not in session subject to its approval at its next session, subject to removal by the Governor for incapacity, misconduct or neglect of duty, one competent and discreet person in each County, who shall be a citizen and qualified elector thereof, and who shall be known as the Supervisor of Registration of _____ County, whose duty it shall be to register and to conduct the registration of the electors who shall apply for registration in such County as herein required. His office shall be at the

Supervisor of Registration; when and how appointed.

Duty of.

Office; where kept.

A. D. 1896.

Vacancy.

County seat, and he shall keep record of all his official acts and proceedings. His term of office shall be for two years from the date of his appointment, and he shall continue in office until his successor shall have been appointed and shall qualify: Provided: That in case of a vacancy from any cause in the office of Supervisor of Registration, the Governor shall fill such vacancy by and with the consent of the Senate as aforesaid.

Compensation
of members of
Board of Reg-
istration.

Of Supervisor.

Office hours.

Section 5. The compensation of each and every member of the Boards of Registration to be appointed under Section 3 of this Act shall be two hundred and fifty dollars for the year 1896, and one hundred and twenty-five dollars for the year 1897, and until the Supervisors of Registration to be appointed under Section 4 of this Act shall have been appointed and shall qualify. And the compensation of the Supervisor of Registration to be appointed under Section 4 of this Act shall be two hundred dollars for each election year and one hundred dollars for each off year. The said compensation or salaries shall be paid quarterly by the State Treasurer upon the warrant of the Comptroller-General. The said Boards of Registration and the said Supervisors of Registration shall keep their offices open on the days required by law from nine o'clock in the forenoon until three o'clock in the afternoon.

Books and
blanks to be
prepared.

Section 6. The Secretary of State shall cause to be prepared a sufficient number of registration books and blanks, so that there shall be two of said books for each voting place in each voting precinct in each County, which books shall be ruled in columns, with proper headings, so as to indicate the name, age and place of residence of each registered elector in such polling precinct, with a separate column at the right side of the page for such entries or remarks as may be necessary. He shall also cause to be prepared two books for each County, in which shall be entered the names of all persons registered up to the first day of January, eighteen hundred and ninety-eight, which books, when prepared by the Boards of Registration to be appointed under Section 3 of this Act and sworn to by the members of said Boards shall be filed on or before February 1st, eighteen hundred and ninety-eight, one in the office of the Secretary of State and one in the office of the Clerk of the Court of Common Pleas for each County. He shall also

cause to be prepared such books and blanks as may be necessary for registration of electors after the first of January, eighteen hundred and ninety-eight, and he shall at any time provide additional books or blanks to supply the places of such as may be defaced, destroyed, mutilated or filled up.

A. D. 1896.

Section 7. The registration books shall be opened in each County on the first Monday in April, eighteen hundred and ninety-six, and kept open for six consecutive weeks from that time at the Court House. Before the first day of August, eighteen hundred and ninety-six, the registration books shall be opened in each polling precinct for not less than one nor more than three days, after three weeks' notice from the Board of Registration of times and places of registration, by advertising in one or more County papers, or by posting in a public place in each polling precinct where no paper is published in the County. They shall be opened also at the Court House on the first Mondays in June, July, August and September, eighteen hundred and ninety-six, and kept open continuously for one week in each of said months, and in the month of October in the same year up to thirty days next preceding the election, and the same shall be closed thirty days before the general election of eighteen hundred and ninety-six until such general election shall have taken place: Provided, That persons who shall become of age during that period of thirty days shall be entitled to registration before the books are closed, if otherwise qualified. After the general election in eighteen hundred and ninety-six, the books of registration shall be opened on the first Monday of each month, at the Court House, for the registration of electors entitled to registration under said Constitution, and kept open for three successive days in each month until thirty days before the general election of eighteen hundred and ninety-eight, when they shall be closed until the general election shall have taken place: Provided, That such persons as shall become of age during the said thirty days shall be entitled to registration before the closing of the books if otherwise qualified. After each succeeding general election the registration books shall be open for the registration of electors entitled to registration under the Constitution on the first Monday in each month at the Court House until thirty days preceding any general election, when the same shall be closed until

Registration books, when opened.

Where opened.

Books, when opened after election in 1896.

A. D. 1898.

such general election shall have taken place: **Provided,** That such persons as may come of age between the closing of the books and the election shall be entitled to registration before the closing of the books, if otherwise qualified. The registration books shall be in like manner closed thirty days before any special election.

**Duties of
Boards of Reg-
istration.**

Right of appeal.

**Appeal, how
taken.**

**When heard
at chambers.**

**Right of ap-
peal to Supreme
Court.**

How heard.

Section 8. The Boards of Registration to be appointed under Section 3 of this Act shall up to and including the first January, 1898, judge of the qualifications of all applicants for registration. Any person denied registration shall have the right of appeal from the decision of the Board of Registration denying him registration to the Court of Common Pleas of the County or any Judge thereof, and thence to the Supreme Court; and on such appeal the hearing shall be *de novo*. Any person denied registration and desiring to appeal must within ten days after the decision of the Board of Registration is made file with the said Board a written notice of such notice of his intention to appeal therefrom. After the expiration of ten days from the filing of such notice of intention to appeal the Board of Registration shall file with the Clerk of the Court of Common Pleas for the County the notice of intention to appeal, and any papers in their possession relating to the case, and a report of the case if they deem proper. The Clerk of the Court shall file the same and enter the case on a special docket to be known as Calendar No. 4. If the appellant desires the appeal to be heard by a Judge at chambers he shall give every member of the Board of Registration four days' written notice of the time and place of the hearing. From the decision of the Court of Common Pleas, or any Judge thereof, the appellant or any duly qualified elector of the County may further appeal to the Supreme Court by filing a written notice of his intention to appeal therefrom in the office of the Clerk of the Court of Common Pleas within ten days after such decision is filed, and within said time serving a copy of such notice on every member of the Board of Registration. Thereupon the Clerk of the Court of Common Pleas shall certify all the papers in the case to the Clerk of the Supreme Court within ten days after the filing of such notice of intention to appeal. The Clerk of the Supreme Court shall place the case on a special docket, and it shall come up for hearing upon the call thereof, under such rules as the

Supreme Court may make. If such appeal be filed with the Clerk of the Supreme Court at a time that a session thereof will not be held between the date of filing and an election, at which the appellant will be entitled to vote if registered, the Chief Justice, or if he is unable to act or disqualified the senior Associate Justice, shall call an extra term of the Court to hear and determine the case.

A. D. 1890.

Section 9. All persons registered on or before January first, eighteen hundred and ninety-eight, shall remain during life qualified electors, unless afterwards disqualified by the provisions of the said Constitution. The certificate of the Clerk of the Court, or of the Secretary of State, that the name of any person appears on the books or records hereinbefore required to be filed in their respective offices by the Boards of Registration shall be sufficient evidence to establish the right of such person to any subsequent registration and the franchise under the limitations imposed in the said Constitution.

Registered electors before January, 1898, to remain so.

Right to vote, how established

Section 10. After the first of January, eighteen hundred and ninety-eight, the Supervisors of Registration to be appointed under Section 4 of this Act shall judge of the legal qualifications of all applicants for registration. From their decision appeals may be taken to the Court of Common Pleas, or any Judge thereof, and thence to the Supreme Court, and the mode of appeal shall be the same as prescribed in Section 8 of this Act.

Supervisors to judge of qualifications of electors after January 1st, 1898.

Appeals.

Section 11. An enrollment of persons not previously registered and entitled to registration shall be made annually by the Supervisor of Registration until the year nineteen hundred and eight, when an enrollment of all electors shall be made, and thereafter there shall be the same annual enrollment of electors, and the same general enrollment of electors every tenth year as above provided.

Enrollment of electors to be made.

Section 12. In case any person shall not have attained the age of twenty-one years before the closing of the books of registration preceding any election, and shall attain such age before such election, and shall appear before the Board of Registration or the Supervisor of Registration, (as the case may be), and shall make application under oath to the facts above stated entitling him to registration, if he be otherwise duly qualified, the Board of Registration, or the Supervisor of Registration, shall register such applicant. Any person

Persons becoming of age before an election entitled to register.

A. D. 1896.

not laboring under the disabilities named in the Constitution and whose qualifications as an elector will be completed after the closing of the registration books but before the next election, shall have the right to apply for and secure a registration certificate at any time within sixty days immediately preceding the closing of such books. From the decision of the Board of Registration or the Supervisor a like appeal may be taken as in other cases and in like manner.

Voter to be
furnished with
a certificate.

Section 13. Each elector registered as aforesaid shall thereupon be furnished by the Board of Registration if registered before or on the first day of January, 1898, or by the Supervisor of Registration if registered after the first of January, 1898, with a certificate of registration, which shall contain a statement of his name, age and place of residence as entered in the registration books, and such certificate shall be signed by at least two of the members of the Board of Registration or the Supervisor of Registration (as the case may be). The certificate shall be of the following form:

STATE OF SOUTH CAROLINA.

Form of cer-
tificate.

Registration Certificate, No. ———.

This is to certify that is a registered elector of the election district of, County of, resides in Township or Parish or Ward, is years of age, and is entitled to vote at voting place in polling precinct if otherwise qualified.

Registered on the day of, 18.....

.....
.....
.....

Members of the Board of Registration of
..... County.

Supervisor of Registration
..... County.

Section 14. In case of the removal of an elector from one County to another he shall notify the Board or the Supervisor of Registration (as the case may be) of the County to which he has removed, presenting his registration certificate

for the County from which he has removed. The said Board or the said Supervisor of Registration (as the case may be) shall take the name of such elector and the number of his certificate, and ascertain in writing from the Board or the Supervisor of Registration (as the case may be) of the County from which such elector has removed whether he is a duly registered elector of latter County. If found to be duly registered, the Board or the Supervisor of the County to which such elector has removed shall register such elector, if otherwise qualified, and notify the Board or the Supervisor of the County from which he has removed that he has been so registered, whereupon his name shall be stricken from the books of the latter County.

A. D. 1896.

How one moving from one County to another may have certificate changed.

Section 15. Every registered elector shall be entitled to a renewal of his certificate without fee or charge, when the same becomes defaced or mutilated, upon the surrender of such defaced or mutilated certificate to the Board or the Supervisor of Registration (as the case may be), if he is still a qualified elector under the provisions of said Constitution or if he has been registered under said provisions before the 1st January, 1898. In case of the loss of or destruction of a certificate, any elector registered on or before the first of January, 1898, he shall be entitled to another certificate of registration upon application and proof of destruction or loss on presenting to the Board or the Supervisor of Registration (as the case may be) a certificate of the Clerk of the Court of Common Pleas of his County, or of the Secretary of State, that his name appears as a registered voter on the books or records filed in their respective offices, if still otherwise qualified. And any elector registered after the first of January, 1898, shall be entitled to another certificate of registration, upon application and proof of such destruction or loss, if his name appears upon the annual or general enrollment made by the Board or the Supervisor of Registration, (as the case may be), and if otherwise still qualified. Any such elector shall have a like right of appeal from the decision of the Board of Registration or Supervisor of Registration as in cases of original registration.

Renewal of certificate, how and when made

Section 16. The Supervisor of Registration shall revise the list of registered electors at least ten days preceding each election, and shall erase therefrom the names of all

Supervisor to revise list of electors.

A. D. 1896.

Right of appeal.

Clerk of Court of General Sessions to report all male persons convicted of disqualifying crime.

Magistrates to make similar reports.

registered electors who may have become disqualified, or who, upon satisfactory evidence, may appear to have died, or removed from their respective Counties, or who may have been illegally or fraudulently registered: Provided, That any one who may deem himself injured by such an act may have the same right of appeal to the Court of Common Pleas or any Judge thereof, as hereinbefore provided for persons who have been denied registration.

Section 17. The Clerk of the Court of General Sessions and Common Pleas for each County shall on or before the fifteenth day of October, 1896, and biennially thereafter on or before the same day of the same month, make out and report to the Boards or the Supervisors of Registration (as the case may be) for their respective Counties a complete list of all male persons convicted prior to the first day of October, 1896, and during every two years thereafter of the following offenses, to wit: Burglary, arson, obtaining goods or money under false pretenses, perjury, forgery, robbery, bribery, adultery, bigamy, wife beating, housebreaking, receiving stolen goods, breach of trust with fraudulent intent, fornication, sodomy, incest, assault with intent to ravish, miscegenation, and larceny, or crimes against the election laws. Such report must be accompanied by the certificate of the Clerk that the report is correct as appears from the records of his office.

Section 18. Every Magistrate in the State shall on or before the fifteenth day of October, 1896, and biennially thereafter on or before the same day of the same month, make out under his hand and seal, and report to the Board or the Supervisor of Registration (as the case may be) of his County, a complete list of all the male persons convicted before him of any of the offenses mentioned in the preceding Section prior to the first day of October, 1896, and during every two years thereafter, or before any of his predecessors whose trial docket is in his possession during the two preceding years, or the period following his last previous report, or the last previous report by his predecessor. Any Magistrate or Clerk of the Court who shall fail to make or neglect to make such report as required by this and the preceding Section shall forfeit and pay to the County in which he holds his office the sum of fifty dollars for each and every such failure or neglect to make such report.

Section 19. The reports provided for in the two preceding Sections shall be received by the Board or the Supervisor of Registration (as the case may be) as *prima facie* evidence of the facts stated therein, and the said Board or Supervisor shall immediately erase the names of all such persons from the registration books or records in their or his County, and such person shall not be thereafter allowed to register or to vote unless such person shall present to the Board or the Supervisor a pardon from the Governor or shall prove that they were never convicted of the offenses stated in such certificate, in which cases their names shall thereupon be restored to the registration books or records as completely and effectually as if it had never been stricken therefrom. The said Boards or Supervisors are required whenever the names of any electors are thus stricken from the books of registration to furnish a list of such names to the Clerk of Court and the Secretary of State, and they shall erase from the record of registered electors on file in their respective offices the names of such electors.

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Such reports
prima facie
evidence.

Such persons
not allowed to
register or vote
unless pardon-
ed.

Section 20. Every elector shall vote at the polling place in the polling precinct at which and in which his registration certificate entitled him to vote. When a new voting precinct is established by law it shall be the duty of the Board or the Supervisor of Registration (as the case may be) to transfer from the books of registration the names of such electors registered to vote in other voting precincts as should hereunder register and vote in the new voting precinct, and to issue to such electors as may apply new registration certificates for such new polling precinct, and such elector shall thereafter vote in the new polling precinct to which they have been transferred. In case of the removal of an elector from one precinct to another in the same County, such elector shall notify the Board or the Supervisor of Registration of such County, and surrender his certificate. And the said Board or Supervisor shall note the fact upon the proper book and give to the elector a certificate for registration for the precinct into which he has removed. When one voting place has been changed to another in the same township or polling precinct, or where the name of the voting place has been changed since the last general election, the registration of electors for the former voting place shall be valid and effectual for the new voting place. Any

Places for vot-
ing.

Removal from
one voting place
to another.

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**Elector may
vote at nearest
poll.**

registered elector who may reside nearer to a voting place in his polling precinct than the one at which he is entitled to vote, and desires to vote at such nearer voting place shall, upon the surrender of his certificate of registration be entitled to a new certificate entitling him to vote at such nearer voting place.

**Books to be
deposited with
Clerk of Court.**

Section 21. The Board or the Supervisor of Registration (as the case may be) shall deposit the books and other records of registration for safe-keeping in the office of the Clerk of the Court of Common Pleas for their or his County, who shall keep the same with the other records in said office.

**To be public
records; how
kept.**

The registration books and records shall be public records open to the inspection of any citizen at all times, and shall not be removed from the office of the Clerk of the Court by any person except the Board or the Supervisor of Registration (as the case may be), who are authorized to take and keep the same as long as may be necessary to enable them or him to perform the duties herein imposed on them: Provided, That the books and records of registration shall not be kept anywhere else than in the office of the Clerk of the Court of Common Pleas or in the office of the Board or Supervisor of Registration (as the case may be), except when used by the Board or Supervisor in the several polling precincts as required by this Act.

**Registration
books to be
furnished for
each precinct.**

Who may vote.

Section 22. Immediately preceding each general election or any special election, the Board or the Supervisor of Registration (as the case may be) shall furnish to the Commissioners of Election for their County two registration books for each polling precinct in their County, containing in each the names of all electors entitled to vote at such precinct; and no elector shall vote in any polling precinct unless his name appears on the registration books for that precinct: Provided, That in case the name of any registered elector does not appear, or incorrectly appears, on the registration books of his polling precinct, he shall, nevertheless, be entitled to vote upon the production and presentation to the Managers of Election of such precinct (in addition to his registration certificate) of a certificate of the Clerk of Court of Common Pleas that his name is enrolled in the registration book or record of his County on file in said Clerk's office, or a certificate of the Secretary of

State that his name is enrolled in the registration book or record of his County on file in the office of the Secretary of State, or prior to the filing of such books or records on or before the first of February, 1898, in the offices of the Clerk and Secretary of State a certificate of a member of the Board of Registration of his County that his name is enrolled on the County registration book or records; and it shall be the duty of the Clerk or the Secretary of State, or a member of the Board of Registration, to furnish such certificate without cost or charge upon demand of any such elector whose name appears upon the registration books or records of his County on file in the office of the Clerk of Court or in the office of the Secretary of State. The Commissioners of Election shall turn over said books to the Managers of Election of each polling precinct, who shall be responsible for the care and custody of said books and the return thereof to the Commissioners within three days after such election. The Commissioners of Election shall return such books to the Board or Supervisor of Registration (as the case may be) within twenty days after such election.

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Commissioners
of Election to
turn over said
books to the
Managers.

Section 23. Every male citizen of this State and of the United States of the age of twenty-one years and upwards, having all the qualifications mentioned in the first Section of this Act, and who has resided within the corporate limits of any incorporated city or town in this State for four months previous to any municipal election, and has paid all taxes due and collectible for the preceding fiscal year, and who has been registered as hereinafter required, shall be entitled to vote at all municipal elections of his city or town after the general election in the year 1896.

Who entitled
to vote in municipal
elections.

Section 24. Ninety days before the holding of a regular election in any incorporated city or town in this State after the general election of 1896, the Mayor or Intendant thereof shall appoint one discreet individual who is a qualified elector of such municipality as Supervisor of Registration for such city or town, whose duty it shall be to register all qualified electors within the limits of the incorporated city or town. The names of all qualified electors of such municipality shall be entered in a book of registration, which at least one week before the election and immediately after the holding of the election shall be filed in the office of the Clerk or Recorder of such city or town, and shall be a public re-

Municipal
registration,
how made.

A. D. 1898.

cord open to the inspection of any citizen at all times. Such registration shall be used for all special elections in the municipality until ninety days preceding the next regular election: Provided, That in cities of over fifty thousand inhabitants there shall be appointed three Supervisors, who shall represent different political parties or factions of parties. Immediately preceding any municipal election to be held in any incorporated city or town in this State, the Supervisor or Supervisors of Registration (as the case may be) shall prepare for the use of the Managers of Election of each polling precinct in such city or town a registration book or books for each polling precinct in such city or town containing the names of all electors entitled to vote in such polling precinct at said election.

Books, &c., to be furnished.

Section 25. It shall be the duty of the Mayor or Intendant of incorporated cities or towns to cause to be prepared and furnished suitable books of registration and all stationery and blanks necessary for the registration of electors.

Qualifications for registration. How determined.

Section 26. The Supervisor or Supervisors of Registration (as the case may be) shall judge of the qualifications of all applicants for registration. The production of a certificate of registration from the Board or Supervisor of Registration of the County entitling the applicant to vote in a polling precinct within the incorporated city or town in which the applicant desires to vote shall be a condition prerequisite to the applicant's obtaining a certificate of registration for municipal elections; and the production of such certificate and proof of his residence within the limits of the municipality for four months preceding such election and the payment of all taxes assessed against him due and collectible for the previous fiscal year shall entitle the applicant to registration. From the decision of the municipal Supervisor any applicant may appeal to the Court of Common Pleas, or any Judge thereof, and from thence to the Supreme Court, and the mode of appeal shall be the same as provided in Section 8 of this Act.

Appeals.

Place of voting.

Section 27. In incorporated cities or towns in which there are more than one polling precinct, every elector shall vote at the polling precinct in which his registration certificate entitles him to vote.

Elector to have certificate.

Section 28. Each elector registered by the municipal Supervisor or Supervisors of Registration (as the case may be)

shall be furnished by such Supervisor or Supervisors (as the case may be) with a certificate, which shall be of the following form:

A. D. 1896.

STATE OF SOUTH CAROLINA, CITY OR TOWN OF ———
REGISTRATION CERTIFICATE FOR MUNICIPAL ELECTION,
NUMBER —, WARD —.

Form of.

This is to certify that is a qualified elector of the city or town of, resides in Ward, is years of age, and is entitled to vote in the municipal election on the day of, 18...

Registered on the day of, 18...

.....,
"Supervisor of Registration."

(or)
.....

"Supervisors of Registration."

Section 29. Before any municipal election to be held in any incorporated city or town in this State after the general election of 1896, the municipal Supervisor or Supervisors of Registration (as the case may be) shall furnish the Managers of Elections with the book or books of registration for the city or town or precinct thereof, prepared by him or them for the use of the Managers of Election as prescribed in the preceding 24th Section of this Act, which they shall return to the Supervisor or Supervisors (as the case may be) within three days after the election; and no elector shall be allowed to vote in any municipal election whose name is not registered as herein provided, or who does not produce a municipal registration certificate at the polls: Provided, That in case the name of any registered elector does not appear, or incorrectly appears, on the registration books of his polling precinct, he shall nevertheless be entitled to vote, upon the production and presentation to the Managers of Election of such precinct (in addition to his municipal registration certificate) a certificate of the Clerk or Recorder of such city or town that his name is enrolled in the registration books of his city or town, on file in the office of said Clerk or Recorder, and it shall be the duty of said Clerk or Recorder to furnish such certificate without cost

Managers of
Election to be
furnished with
registration
books.

A. D. 1896.

or charge upon demand of any such elector whose name appears on the registration book of his city or town on file in the office of said Clerk or Recorder.

Oath required
of applicant.

Section 30. Every applicant for registration, including municipal registration, shall first take the following oath, to be administered to him by the Board or the Supervisor, or Supervisors of Registration, (as the case may be): "I do solemnly swear (or affirm) that I am a male citizen of this State and of the United States; that I am twenty-one years of age or more; that I have resided in this State for two years, and in this County for one year, and in the polling precinct in which I apply to be registered and in which I will offer to vote if registered for four months; and that I have not been convicted of burglary, arson, obtaining goods or money under false pretenses, perjury, forgery, robbery, bribery, adultery, bigamy, wife beating, housebreaking, receiving stolen goods, breach of trust with fraudulent intent, fornication, sodomy, incest, assault with intent to ravish, miscegenation, larceny, or crimes against the election laws."

Each Town-
ship a polling
precinct.

Section 31. Each township as now or hereafter laid out and defined in the several Counties of this State, and in those Counties where there are no such township the parish as formerly known and defined, is declared a polling precinct. In all cities and towns containing five thousand inhabitants or more, where the same is divided into wards, each ward shall be a polling precinct; and in the city of Charleston the polling precincts shall be the same as the voting precincts now established in the several wards of said city by law, and in the County of Richland that portion of Columbia Township outside of the corporate limits of the city of Columbia (as the said limits are now or may hereafter be by law established) shall constitute a separate polling precinct. The voting places within these polling precincts shall be the same as now or hereafter established by law: Provided, When there are more than one voting place in the polling precincts the elector for that precinct can vote at either polling place, to be designated on his certificate of registration by Board of Registration or Supervisor of Registration.

Approved the fifth day of March, A. D. 1896.

No. 23.

A. D. 1896.

AN ACT to Amend the Law in Relation to the Location and Names of Voting Precincts in This State. No. 103.

Section 1. Be it enacted by the General Assembly of the State of South Carolina, That from and after the approval of this Act the names and location of the voting precincts in this State shall be and remain as now provided by law except in the Counties hereinafter mentioned, in which the names and locations of voting places shall be as herein-after established.

Location of
voting places.

Abbeville.—In the County of Abbeville there shall be voting places as follows: Abbeville Court House, Mount Carmel, Willington, Cokesbury, Greenwood, Ninety-Six, Donaldsville, Due West, Antreville, Lowndesville, Magnolia, Long Cane, Clatworthy's Cross Roads, McCormick, Hodges, Troy, Bradley's, Jone's in Cokesbury Township, and Verdery in Smithville Township.

Abbeville.

Aiken.—Voting places of Aiken County: Aiken Court House, Bath Mills, Banks Mill, Creed's Store, Eureka, Fountain Academy, Graniteville, Hamburg, Kneece's Mill, Langley, Low Town Wells, Montmorenci, Oak Grove School House, Otts, Page & Hankinson's Store, Perry, Sally's, Seivern, Sylverton, Sunny Side, Wagener, Windsor, and Vacluse.

Aiken.

In Barnwell County there shall be voting places as follows: Allendale, Bamberg, Denmark, Barnwell, Baldoc, Millet, Blackville, Olar, Erwinton, Ferrel's Store, Robbins, George's Creek, Moody's Store, Midway, Jerry Snellings, Mixson's Mill, Tinker's Creek School House, Sycamore, Ulmers, Ehrhardt's, Williston, and Elko.

Barnwell.

Anderson.—In the County of Anderson there shall be voting places as follows: Anderson Court House, Belton, Craytonville, Centreville, Pendleton, Sandy Springs, Five Forks, Hopewell School House, Greenwood, Williamston, Honea Path, Clinkscales, Milford's, Cedar Wreath School House, Moffetsville, Williford's Store, Broyle's Mill, Tugaloo Academy, Starr, Piedmont Factory, Holland's Store, Pelzer, Hunter's Springs, Flat Rock, and Neal's Creek Church.

Anderson.

Beaufort.—In the County of Beaufort there shall be — voting places, as follows: Beaufort, Port Royal, Grahamville, Genesis Cross Roads, Bellinger's Hill, Brick Church,

Beaufort.

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Gardner's Corner, Hardeeville, Blufiton, Gray's Hill, Lady Island, Chisholm's Landing, Old Pocatalligo, Levy's Cross Roads, Paris Island, and Cherry Hill Cross Roads on Hilton Head.

Berkeley.

Berkeley.—In the County of Berkeley there shall be voting places as follows: In the Parishes of St. Thomas and St. Dennis, Muster House, and Ben Potter's at Half-Way Creek; in the Parish of St. James Santee, Henderson's Store; in the Parish of St. Stephen's, St. Stephen's Depot and Gumville; in the Parish of St. John's Berkeley, Calamus Pond, Black Oak, Strawberry Ferry, Pinopolis, Mount Olivet and Biggin Church; in the Parish of St. James Goose Creek, Holly Hill, Cross Roads, Cooper's Store, Ten Mile Hill, Summerville, and Carn's Cross Roads.

Charleston.

In the County of Charleston, outside the corporate limits of the city of Charleston, there shall be voting places as follows: Public school house grounds on James Island, Moultrieville, McClellanville, at or near Awendaw Bridge, in the Parish of St. James Santee; Mount Pleasant, in Christ Church Parish; Brick Church, in St. Andrew's Parish; Cedar Springs, on John's Island; Enterprise Postoffice, on Wadmalaw Island; Camp Ground, on Edisto Island; and on Meeting Street Road outside of the corporate limits of the city of Charleston, and at the nearest available place to said corporate limits: Provided, That nothing herein contained shall be construed to vary or affect the location of the voting precincts within the limits of the city of Charleston as now established by law.

Chester.

Chester.—In the County of Chester there shall be voting places as follows: Chester Court House, Lowryville, Lando, Fishing Creek Church, Rossville, John Simpson's, Carmel Hill, J. E. Wylie's Store, Landsford, Cornwells, Richburg, Edgemoor, Baton Rouge, and Wylie's Mill Academy.

Chesterfield.

Chesterfield.—In the County of Chesterfield there shall be voting places as follows: Chesterfield Court House, Cheraw, Brock's Mill, Wexford, Mount Croghan, Cross Roads, Jefferson, Catarrh, Dudley, Fox Place, McKay's, Hebron, Brown Springs, Bethel, Douglass's Mill, Grant's Mill, and Bear Creek.

Clarendon.

In Clarendon County there shall be voting places as follows: Foreston, Hodges' Corner, Summerton, Cole's Mill, Panola, Fulton, Chandlers, Manning, Midway Church, Wil-

sons, Boykins, Alcolu, Davis's Cross Roads, Duffies' Old Store, Packsville, Bonneaus, Jordan, St. Paul.

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Colleton.—In the County of Colleton there shall be voting precincts as follows: Reevesville, George's, Murray's, Cross Roads, Beech Hill, Summerville, Knightsville, Delmar's Cross Roads, Adams Run, Jacksonboro, Green Pond, Gloversville, Maple Cane, Horse Pen, Walterboro, Hendersonville, Sniders Cross Roads, Rice Patch, Belles Cross Roads, Smokes Cross Roads, Doctors Creek, Ashton, Ridgeville, Harleysville, and Petits Store.

Colleton.

Darlington.—In the County of Darlington there shall be voting places as follows: Darlington Court House, Mechanicsville, Society Hill, Leavenworth, Hartsville, Ashland, Lydia, Lamar, Cypress, Garner's Store, Early's Cross Roads, Bethlehem Church, in Antioch Township, McCall's Branch, in Philadelphia Township.

Darlington.

Edgefield.—In the County of Edgefield there shall be voting places as follows: Timmerman, Ward, Johnston, Trenton, Pickens, Wise, Meeting Street, Pleasant Lane, Trapp's Store, Haltiwanger's Store, Rehobeth, Plum Branch, Modoc, Red Hill, Cheatham's Store, Mathis, Liberty Hill, Meriwether Hall, Landrum's Store, and Gregg.

Edgefield.

Fairfield.—In the County of Fairfield there shall be voting places as follows: Albion, Centreville School House, Blythewood, Feasterville, Gladden's Grove, Horeb, New Haws Store, Monticello, Ridgeway, Winnsboro, Woodward, Longtown, at Jenkins' Store, Bear Creek, Greenbrier, Jackson's Creek School House, and Jenkinsville.

Fairfield.

Florence.—In the County of Florence there shall be fifteen voting places, as follows: In Ward 1 of the city of Florence No. 1, in Ward 2 of said city No. 2, Ebenezer, Timmons ville, Cartersville, James' Cross Roads, Elim, Mars Bluff, Evergreen, Hymansville, Unity, Husband's Cross Road, Tans Bay, Salem at or near Salem Public School, and Back Swamp at McCall's Store.

Florence.

Greenville County.—Six in the city of Greenville, to be located by the Commissioners of Elections; one to be in each ward of said city, to bear the same number of the ward in which it is located. W. R. Grant's, Reedy Fork, A. W. Wares, at or near Fork Shoals; T. Henry Stokes', Old Fairview Academy, Fountain Inn, at or near Jesse Burdett's, Sr.; Butler's Cross Roads, (in Austin Township); Batesville,

Greenville.

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James Green's, Taylor's Station, Double Springs Church, T. J. Mitchell's, Hellam's Crossing, S. W. Barton's (in Glassy Mountain Township); Merrittsville School House, Lima School House, Jennings's Mill, Montague, Piedmont Factory, Gowensville, Marietta, Greer Station, Simpsonville, Tygerville, West Dunklin School House, and Locust.

Georgetown.

In the County of Georgetown there shall be voting places as follows: Georgetown, Sampit, Carver's Bay, Choppee, Black River, Potato Ferry, at or near Ivey's Store, Pee Dee, Greer's, Upper Waccamaw, Lower Waccamaw, Santee, Cedar Creek, at or near Gourdin's Chapel, and Sandy Island.

Hampton.

In the County of Hampton there shall be voting places as follows: Brunson, Hampton Court House, Varnville, Early Branch, Gillisonville, Tillman, Brighton, Ridgeland, Estill, Lauray, Bonnett, Stafford, Scotia, and Gifford.

Kershaw.

In the County of Kershaw there shall be voting places as follows: Camden Market House, Rabon's X Roads, Cureton's Mill, Lang's Mill, Schrock's Mill, Lyzenby, Westville, Buffalo, Brewer's Store, Liberty Hill, McLean's Branch, Antioch, Turkey Creek School House, Stockton Place, Kirkley's Store, Raby's Mill, Shaylor's Hill, and Hanging Rock.

Lancaster.

Lancaster.—In the County of Lancaster there shall be voting places as follows: Lancaster Court House No. 1, Thornwell Place in Cane Creek Township, New Cut, Tradesville, Taxahaw, Dr. C. C. Welsh's, Carmel, Heath Springs, Belair, Primus, Dwight, Kershaw, and Van Wyck.

Laurens.

Laurens.—In the County of Laurens there shall be voting places as follows: Laurens Court House, Clinton, Reynosa, Langston's Church, Pleasant Mound, Young's Store, Parson's Store, Power, Grey Court, Dial's Church, Shiloh, Woodville, Tumbling Shoals, Brewerton, Daniel's Store, Tip Top, Mount Pleasant, Cross Hill, Mountville, Hope Well, and Waterloo.

Lexington.

Lexington.—In the County of Lexington there shall be voting places as follows: Lexington Court House, T. J. Drafts Store, Leesville, Lewiedale, Gaston, Boynton Academy, Irmo, Chapin, Efrd's Store, Peake's Station, P. W. Shealey's Store, Hilton, Samaria, Batesburg, Swansea, Red Store, Hoffman's Burnt Mill, Brookland, Spring Hill, Folk's School House, Red Bank, and Lower Fork at St. Andrews School House.

Marion.—In the County of Marion there shall be voting places as follows: Ariel, at Back Swamp Church; Bermuda, at Bermuda P. O., in Carmichael Township; Berry's Cross Roads, Campbell's Bridge, Cedar Grove, at Cedar Grove, in Wahee Township; Centerville, Dillon, Friendship, Hamer (formerly Carmichael), at Hamer, in Carmichael Township; High Hill, Latta, Little Rock, Marion, Mount Nebo, Mullins, Nichols, Old Ark, and Temperance Hill.

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Marion.

Marlboro.—In the County of Marlboro there shall be voting places as follows: Bennettsville, Red Hill, Brownsville, Hebron, Clio, McCall, Newtonville, Brightsville School House, and Smithville.

Marlboro.

Newberry.—In the County of Newberry there shall be voting places as follows: At Newberry Court House there shall be two polling places, one of which shall be located near the Cotton Factory, Gibson's, Glymphville, Maybinton, Whitmire, Cromer's, Jalapa, Longshore's, Williams, Utopia, Prosperity, Hendrix Mill, Sligh, Jolly Street, Central School House in Township No. 10, Pomaria, and Walton.

Newberry.

Oconee.—In the County of Oconee there shall be voting places as follows: Fairplay, South Union, Earl's, Oakway, Friendship, Seneca, Richland, Westminster, Fort Madison, Tugaloo Academy, Holly Springs, Damascus, Double Springs, Cherry Hill, Little River, Jocassee, Salem, High Falls, West Union, Walhalla, Newry, and Clemson College.

Oconee.

In the County of Orangeburg there shall be voting places as follows: Orangeburg, Rowesville, Branchville, Ayers, Connors, St. Matthews, Vances, Ellore, Dantzler's Post-office, Dantzler's Mill, Washington Seminary, Lone Star, Advance, North, Quattlebaum, Cedar Grove, Cardova, Phillips Postoffice, Cope, Norway, Springfield, Livingston, Sawyerdale.

Orangeburg.

In the County of Richland there shall be voting places as follows: In Upper Township, Camp Ground, Taylor's Store (on Winnsboro Road); in Central Township, Killian's Depot, Davis' (at or near Wm. Thomas' residence), Garner's (at or near Dixon's); in Lower Township, Eastover, Gadsden and Hopkins; in Columbia Township (at or near the junction of the Rice Creek Spring Road and Camden Road, and in the city of Columbia, Ward One, Ward Two, Ward Three, and Ward Four.

Richland.

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Saluda.

Saluda.—In the County of Saluda there shall be voting places as follows: Holston's Cross Roads, Perry's Cross Roads, Coleman's Cross Roads, Mount Willing, Mayson, Kinard's Store, Fruit Hill, Watson's Store, and Ridge Spring.

Spartanburg.

Spartanburg.—In the County of Spartanburg there shall be voting places as follows: Spartanburg No. 1 in Ward One in the city of Spartanburg, Spartanburg No. 2 in Ward Two of the city of Spartanburg, Spartanburg No. three in Ward 3 in the city of Spartanburg, Spartanburg No. four in Ward Four in the city of Spartanburg, Spartanburg No. five in Ward Five in the city of Spartanburg, Spartanburg No. six in Ward Six in the city of Spartanburg, Glendale, Pacolet, White Plains, Rich Hill, Macedonia, Gaffney City, Grassy Pond, Ezell's, Arrowwood, New Prospect, Cherokee Springs, McKelvey's, Compton, Campobello, Holly Springs, Duncan's, Fairmount, Reidville, Cashville, Woodruff, Hobby's, Walnut Grove, Hebron, Cross Anchor, Glenn Springs, Becca, Wood's Chapel, Tuccapau, to be located within five hundred yards of the factor, Cowpens, Inman, Cannon's Camp Ground, Fingerville, Boling Springs, Valley Falls, Fair Forest, Landrum's, Switzer's, Clifton No. 1, to be located within five hundred yards of the factory, and Clifton No. 2, to be located within five hundred yards of the factory, and Clifton No. 3, to be located within five hundred yards of the factory; Calvin's, Arlington, James Allen's (in White Plains Township, Trough, to be located at or near C. H. Robbins' store; Pacolet Mills, to be located at or near H. S. Lipscomb's store; Paris, Whitney, Brannon, Moore's, Maud, Enoree (at Hill's store), Spartan Mills, within five hundred yards of the factory; Thickety, Golightly, Pelham, Fairview, at Fairview School House; Victor Mills to be located within five hundred yards of the factory, and Swain, at North Pacolet School House.

Sumter.

Sumter.—In the County of Sumter there shall be voting places as follows: Sumter Court House No. 1, (situated in Ward One of city of Sumter;) Sumter Court House No. 2, (situated in Ward Two of city of Sumter;) Sumter Court House No. 3, (situated in Ward Three of city of Sumter;) Sumter Court House No. 4, (situated in Ward Four of city of Sumter;) Statesburg, Providence, Rafting Creek, Bishop-

ville, Mannville, Bossards, Mayesville, Lynchburg, Shiloh, Concord, Privateer, Smithville, Wedgefield, Reeds Mill and St. Charles and Bloomhill in Manchester Township.

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Union.—In the County of Union there shall be voting places as follows: Union Court House, Cross Keys, Blackrock, Carlisle, Santuc, Hugh's, Kelton, Jonesville, Gibbs, Glandyburg Mill, Timberridge, Draytonville, Williamsville, Sarratt's Store, Coleraine, West Springs, and Lockhart Mills, to be located within five hundred yards of the factory.

Union.

In the County of York there shall be voting places as follows: Yorkville, Hickory Grove, Blacksburg, Buffalo (at Moore's Cross Roads), Clark's Fork (at McGill's Store), Bethany, Forest Hill Academy, Fort Mill, Rock Hill, Coates' Tavern, Antioch Church (in Bethesda Township), McConnellsville, Blairsville, Bullock's Creek (at Good's Store), Bethel, Clover, Newport, Sharon, Tirzah, Smyrna, and Ebenezer.

York.

Section 2. The Supervisors of Registration for the several Counties named in Section 1 are hereby authorized and required to exchange the registration of such electors as may apply for that purpose from other voting places to the voting places established by this Act whenever it shall appear to him that the elector so applying resides within a reasonable distance from the same.

Supervisors to change registration certificates; when.

Section 3. That all Acts and parts of Acts inconsistent with this Act are hereby repealed.

Approved the ninth day of March, A. D. 1896.

No. 24.

AN ACT to Declare the Law in Reference to Boards of Canvassers, Congressional, Presidential and Primary Elections.

No. 52.

Section 1. Be it enacted by the General Assembly of the State of South Carolina, That all laws now of force relating to the formation of County and State Boards of Canvassers, and defining their powers, duties and liabilities, and all laws relating to the election of Representatives in Congress, the election of electors for President, and formation and proceedings of the Electoral College, and the conduct and

Laws pertaining to Boards of Canvassers continued.

A. D. 1896.

management of primary elections, be, and the same are hereby, continued of force, and applicable to all elections held under the Constitution ratified on the fourth day of December, eighteen hundred and ninety-five, until repealed or amended by the General Assembly.

Approved the second day of March A. D. 1896.

No. 25.

- No. 114. AN ACT to Amend an Act Entitled "An Act to Protect Primary Elections and Conventions of Political Parties, and to Punish Frauds Committed Thereat," Approved 22d December, 1888, by Adding Thereto a Section Providing for Watchers and for Certificates of Registration.

Section 1. Be it enacted by the General Assembly of the State of South Carolina, That an Act entitled "An Act to protect primary elections and conventions of political parties and to punish frauds committed thereat," approved 22d December, 1888, be, and said Act is hereby, amended by adding a Section to be designated as Section 6, which shall read as follows:

Primary elec-
tion. Protec-
tion of.

Section 6. That candidates in all Counties in which there is a city containing 40,000 inhabitants or more shall have the right to appoint a watcher at each polling place to look after the interest of such candidates: Provided, That no person shall be entitled to vote at any primary in such Counties as contain a city of 40,000 inhabitants or more unless he produces his registration certificate and is qualified to vote for the officers to be nominated thereat on the day of election.

Approved the ninth day of March, A. D. 1896.

No. 26.

- No. 190. AN ACT to Regulate the Election of the Mayors and Intendants and Wardens in the Towns and Cities of This State.

Section 1. Be it enacted by the General Assembly of the State of South Carolina, That from and after the approval of this Act, in all towns and cities which by law have been

divided into wards or other political and geographical sections, the Town or City Councils shall be composed of Wardens elected from each ward or section separately by the electors of such ward, and not by the electors at large of said town or cities, and the Mayors or Intendants shall be elected at large by a direct vote of the qualified electors of such city or town: Provided, That the provisions of this Act shall not apply to the city of Greenville.

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Elections of
Mayors and
Aldermen.

Section 2. That the election for said Wardens and the Mayor of the city of Aiken shall be held on the second Monday in December, 1896, and every two years thereafter.

Time of elec-
tion for Aiken.

Section 3. That all Acts or parts of Acts inconsistent with this Act are hereby repealed.

Approved the ninth day of March, A. D. 1896.

No. 27.

AN ACT to Provide for the Election of Public Cotton Weighers and to Provide for Their Compensation. No. 127.

Section 1. Be it enacted by the General Assembly of the State of South Carolina, That upon the petition of fifty or more qualified electors who are freeholders and growers of cotton in any township or parish in which there may be a cotton market, the County Board of Commissioners of that County shall annually elect one or more Public Cotton Weighers for said cotton markets, whose term of office shall be for one year and until the election and qualification of his or their successor or successors.

Election of
Public Cotton
Weighers; when
and how.

Section 2. Before entering upon the duties of his office each Cotton Weigher shall be legally sworn to discharge the duties of the position by some officer authorized to administer oaths, and shall enter into bond in the sum of three hundred dollars for the faithful performance of his duty, which bond shall be approved by the County Board of Commissioners and filed with the Clerk of the Court of Common Pleas and General Sessions for the County in which said cotton market or markets may be situated. Each Weigher shall receive as compensation for his services not more than ten cents for each bale weighed by him, to be fixed by

To take oath
and give bond.

Compensation.

A. D. 1896.

the Commissioners, the same to be paid in equal proportion by the seller and buyer, except in those markets where the Weigher may be paid by individuals or corporations, at which markets the seller shall pay nothing.

Weigher to
provide scales.

Section 3. It shall be the duty of each Weigher to provide a platform and scales with ample facilities for handling cotton with speed and at minimum cost, at which platform or platforms all cotton sold in said market or markets shall be weighed. It shall be the duty of each Weigher to weigh fairly and promptly all cotton sold in said market or markets, issuing his own ticket showing the weight of each bale or package of cotton weighed. It shall be his further duty to adjust any difference between sellers and buyers as to moisture and mixed or false packing. In case of inability from sickness or other cause, and from the first day of March to the first day of September of each year, a Weigher may appoint a deputy, who shall take, before entering upon his duties, the usual oath of the office in the manner required of the Weigher. The elected Weigher shall be responsible on his bond for the official acts of his deputy. Each Weigher or his deputy shall devote his exclusive attention to the duties of his office during the cotton marketing season. Each Weigher shall test his scales once a month by the standards in the office of the Clerk of Court, as provided by law.

Duty of.

Violation a
misdemeanor.

Section 4. Any person, persons or agents of any corporation weighing cotton in any cotton market or markets where a Public Weigher has been elected, except as prescribed in this Act, shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be fined not less than five nor more than ten dollars for each offense.

Exceptions.

Section 5. The provisions of this Act shall not apply to the Counties of Charleston, Laurens, Berkeley, Chester, Spartanburg, Aiken, Horry, Edgefield, Georgetown, Richland, Saluda, Beaufort, Lancaster, Abbeville, York, Newberry, Kershaw, Lexington, Oconee, nor to the town of Liberty in Pickens County, or to Anderson Township in Anderson County.

Other excep-
tions.

Section 6. That the provisions of this Act shall not apply to sales made on plantations or at cotton mills.

Section 7. All Acts or parts of Acts inconsistent with this Act be, and the same are hereby, repealed.

Approved the ninth day of March, A. D. 1896.

No. 28.

A. D. 1896.

AN ACT to Provide for a Uniform Assessment and Levy of Taxes for Township, School, Municipal and Other Purposes. No. 142.

Section 1. Be it enacted by the General Assembly of the State of South Carolina, That after this Act goes into effect taxes for township, school, municipal and all other purposes provided for or allowed by law shall be levied on the same assessment, which shall be that made for State taxes.

Uniform assessment.

Section 2. That all persons charged with the assessment or collection of taxes for municipal purposes may copy from the County Auditor's books the assessment of valuation thereon found, and may use the same as the basis for the assessment of taxes for municipal purposes: Provided, That nothing herein contained shall prevent the municipal authorities from assessing and collecting taxes upon property not upon the Auditor's book.

Municipal authorities to copy assessment from Auditor's books.

Section 3. That after the County Auditor has completed his assessment it shall be his duty to permit any person authorized to assess or collect municipal taxes for any town or city to inspect and use his books, without charge, for the purpose of taking therefrom the assessed valuation of property within the limits of said city or town.

Duty of Auditor to permit his books inspected; when.

Approved the ninth day of March, A. D. 1896.

No. 29.

AN ACT to Amend Section 255 of the General of 1892, Appearing as Section 310 of the Revised Statutes of 1893, Relating to Boards of Equalization. No. 30.

Section 1. Be it enacted by the General Assembly of the State of South Carolina, That Section 255 of the General Statutes of 1882, appearing as Section 310 of the Revised Statutes of 1893, be, and the same is hereby, amended by adding to said Section the following: "Provided, however, That the said Boards of Equalization shall not receive pay for more than five days in any one year, excepting when the

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real estate is to be equalized for taxation, and then not exceeding ten days." So that said Section shall read as follows:

Boards of
Equalization;
pay of.

Section 255. Each member of the County Boards of Equalization shall receive for his services for each day actually employed in performing the duties enjoined upon him three dollars per day, and one mileage at five cents per mile each way for travel actually performed, to be paid by the County Treasurers upon the warrant of the County Board of Commissioners on the certificate of the County Auditor, except in the Counties of Horry, Greenville, Florence, Marion, Marlboro, Colleton, Oconee, Aiken, Spartanburg, Orangeburg, Abbeville, Lancaster, Chesterfield, Anderson and Williamsburg, where they shall each receive two dollars: Provided, however, That the said Boards of Equalization shall not receive pay for more than five days in any one year excepting when the real estate is to be equalized for taxation, and then not exceeding ten days.

Approved the twenty-fifth day of February, A. D. 1896.

No. 30.

No. 81. AN ACT to Fix the Compensation of Township Boards of Commissioners While Sitting as Boards of Assessors.

Township
Boards of Com-
missioners; pay
of as Assessors.

Section 1. Be it enacted by the General Assembly of the State of South Carolina, That the members of the Township Boards of Commissioners in this State shall each be paid one dollar per day, not exceeding one day, while sitting as Assessors: Provided, That in those townships or tax districts in which is situated an incorporated town or city of two thousand and less than three thousand inhabitants they shall be paid for not exceeding three days, and in those townships or tax districts in which there is an incorporated town or city of three thousand and not more than five thousand inhabitants they shall be paid for not exceeding five days, and in those townships or tax districts in which there is an incorporated town or city of five thousand and less than ten thousand inhabitants they shall be paid for not exceeding ten days, and in those townships or tax districts in

which there is an incorporated town or city of more than ten thousand inhabitants they shall be paid for not exceeding twenty days.

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Section 2. That the number of inhabitants of such towns and cities shall be determined by the last United States census.

Section 3. That all Acts and parts of Acts inconsistent with this Act be, and the same is hereby, repealed.

Approved the ninth day of March, A. D. 1896.

No. 31.

AN ACT to Regulate the Attendance of County Treasurers at Convenient Places in Their Respective Counties.

No. 7.

Section 1. Be it enacted by the General Assembly of the State of South Carolina, That the County Treasurers of the respective Counties may attend at certain safe and convenient places for the purposes of collecting taxes.

County Treasurers to attend convenient places.

Section 2. That the County Supervisor shall give twenty days' public notice of the days when they will be at the places designated.

Section 3. That all Acts or parts of Acts inconsistent with this Act be, and the same are hereby, repealed.

Section 4. That the provisions of this Act shall not apply to the Counties of Georgetown, Sumter, York and Chester.

Approved the seventh day of February, A. D. 1896.

No. 32.

AN ACT in Relation to the Constitutional School Tax Which Has Become Assets of the State in Charge of the Commissioners of the Sinking Fund by Reason of the Same Being Past Due and Unpaid.

No. 129.

Section 1. Be it enacted by the General Assembly of the State of South Carolina, That whenever, under operation of existing law, unpaid taxes, costs and penalties have become, or hereafter shall become, assets of the State in charge of

A. D. 1896.

Unpaid school taxes collected by Sinking Fund Commission to be turned over to County Treasurers.

the Commissioners of the Sinking Fund by reason of the same being past due and unpaid for twelve months, whether the same be upon or off the Tax Duplicate, or upon or off the Forfeited Land List as forfeited prior to December 24th, 1887, the Secretary of State, as agent of the Commissioners of the Sinking Fund, shall hereafter once a year pay over to the respective County Treasurers (to be by them placed to the credit of the common school fund) out of such assets as may have been collected by him during the year so much thereof as would have been the simple Constitutional school tax had the same not become assets of the State in charge of the Commissioners of the Sinking Fund, as aforesaid.

Section 2. That all Acts and parts of Acts inconsistent with the provisions of this Act be, and the same are hereby, repealed.

Approved the ninth day of March, A. D. 1896.

No. 33.

No. 148. AN ACT to Regulate and Control County Sinking Funds Created for the Purpose of Placing the Finances of the Counties of This State Upon a Cash Basis.

County sinking funds to be kept by County Treasurers.

Section 1. Be it enacted by the General Assembly of the State of South Carolina, Whenever provision is made by law for the levy and collection of an annual tax to create a sinking fund for the purpose of placing the finances of any County of this State upon a cash basis the sum or sums so raised shall be kept by the County Treasurer upon a special account, separate and distinct from other County funds, and shall be protected by the official bond of the County Treasurer as other County funds, and shall be known or designated as the "County Sinking Fund."

County Boards of Commissioners may borrow said fund.

Section 2. After the creation of said fund it may be lawful for the County Board of Commissioners in any year to borrow in advance of the collection of taxes for that year from said fund and to apply to ordinary County expenses an amount which shall not exceed such a sum as can be repaid to said sinking fund on or before the 1st day of the following January out of the collection of taxes in said year. The

amounts so borrowed from said sinking fund during any current year shall be repaid to said sinking fund on or before the 1st day of the following January, and all amounts realized from the collection of any taxes levied for the purpose of creating said sinking fund shall immediately upon collection be placed to the credit of said fund. All unexpended balances of taxes raised for ordinary County expenses and all unexpended balances of taxes raised for any special County purpose excepting school purposes shall at the end of the year be carried to the credit of said sinking fund.

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Section 3. Whenever the said sinking fund shall accumulate to such an amount as to equal the amount of the ordinary annual expenses of the County, thus enabling the finances of the County to be placed upon a cash basis, then the said fund shall be carried to the credit of the general account of the County, and the said sinking fund account shall be closed and this Act shall cease to be operative.

When County on a cash basis, said fund shall be carried to the cash account.

Section 4. All Acts or parts of Acts inconsistent with this Act are hereby repealed.

Section 5. This Act shall take effect immediately upon its approval.

Approved the ninth day of March, A. D. 1896.

No. 34.

AN ACT in Relation to the Enforcement of the Collection of Taxes Unpaid Upon Municipal Property. No. 146.

Section 1. Be it enacted by the General Assembly of the State of South Carolina, That whenever any taxes, State, County, school or township, hereafter may accrue upon any land or buildings, or portions thereof, or upon any other property of any municipal corporation by reason of said land, buildings or other property, or portions thereof, not having been used "exclusively for public purposes and not for revenue," and hereafter may become past due and unpaid, and it becomes necessary to collect the same by distress, then the Sheriff, whether acting under an execution from the County Treasurer or from the Secretary of State as agent of

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Municipal
authorities may
sell the use and
occupancy of
land for taxes;
when, how and
for what term.

the Commissioners of the Sinking Fund, shall at public sale sell not the "fee" as in other cases, but only the "use" and "occupancy" of such portions of said land, building or property of such municipal corporation as the same accrued upon, to that bidder who will for the shortest term pay the taxes, penalties, costs and charges accrued thereon; and at such sale to protect the interest of the State, if there be no cash bid equal to the taxes, penalties, costs and charges accrued thereon, then the said property or portion thereof offered for sale shall be knocked down to the Sinking Fund Commission for a term not exceeding ninety-nine years; and it shall be the duty of the Sheriff to make titles for the term of years required by the bid to the purchaser, and put said purchaser (whether the Sinking Fund Commission or any other person) into possession in like manner as when the fee is by him sold for taxes.

Use for pub-
lic purposes not
to defeat the
sale.

Section 2. That the use and occupancy for public purposes at the time of levy or sale of any portion of property levied upon or sold for taxes accrued by reason of same not having been formerly used "exclusively for public purposes and not for revenue" shall not defeat the remedy for collection provided in this Act.

Section 3. That all Acts and parts of Acts inconsistent with the provisions of this Act be, and the same are hereby, repealed.

Approved the ninth day of March, A. D. 1896.

No. 35.

No. 202. AN ACT to Provide for the Formation of New Counties and the Changing of County Lines and County Seats and Consolidation of Counties.

New Counties;
petition for.

Section 1. Be it enacted by the General Assembly of the State of South Carolina, Whenever two or more sections of an old County or Counties desiring to be incorporated into a new County shall file with the Governor a petition signed by one-third of the qualified electors residing within the area of each section of an old County proposed to be cut off to form a new County, setting forth the boundaries

of the proposed new County, the proposed name, the number of inhabitants, the area, the taxable property as shown by the last tax returns, and that the proposed lines for the new County do not run nearer than eight miles of any court house building then established.

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Section 2. Within twenty days after receipt of such petition the Governor shall order an election in the territory proposed to be cut off for the new County, to be held within sixty days from the date of the order. At such election the electors shall vote "yes" or "no" upon the question of creating, and upon the name and County seat of such proposed new County.

Election for;
how ordered.

Section 3. For the purposes of such election the Commissioners of Election for each old County proposed to be cut shall appoint three Managers for each voting place in the area of the old County proposed to be cut off, not more than two of whom shall be in favor of the proposed new County or against it, and shall deliver to them the books of registration for those voting places, which the registration officers shall turn over to the Commissioners on demand. Such election shall be conducted in the same manner as general elections in this State, and all persons entitled to vote under the Constitution and laws of this State at general elections shall be entitled to vote at such election.

Election; how
conducted.

Section 4. The Commissioners of Elections for each old County proposed to be cut shall canvass the returns of the Managers of each precinct in their County at which such election has been held as such returns in general elections in this State are canvassed, and shall certify the result thereof in tabulated statement of the vote at each precinct to the Secretary of State, who shall transmit a tabulated statement of the vote at each precinct of an old County proposed to be cut off to both branches of the General Assembly at its next session.

Result of;
how declared
and certified to.

Section 5. The General Assembly at its next session shall create such new County if two-thirds of the qualified electors voting at such election shall vote in favor of the establishment of such new County, and if all the Constitutional requirements for the formation of new Counties have been complied with, of all of which such General Assembly must judge.

Duty of General
Assembly.

A. D. 1896.

How Court
House may be
moved.

Section 6. Whenever the citizens of any County desire to move the Court House they shall file a petition to that effect stating the point to which the Court House is proposed to be removed, signed by one-third of the qualified electors of such County, with the Governor, who shall within twenty days after the filing order an election in said County to be held within sixty days, at which election the electors shall vote for or against removal. The Commissioner of Election for such County shall appoint Managers of each precinct in the County and furnish them with the necessary boxes and registration books, which the officers of registration are hereby authorized to furnish the Commissioners. Such election shall be conducted as general elections in this State, and all electors qualified to vote at general elections shall be entitled to vote thereat. The Commissioners of Election for such County shall receive the returns of the Managers and tabulate the vote and declare the result. If two-thirds of the qualified voters voting in such election vote in favor of such removal, the County Board of Commissioners shall take the necessary steps to remove the Court House and public records of such County to the place designated.

How one section of County may be transferred to another.

Section 7. Whenever the citizens of any section of one County desire to be incorporated within the limits of an adjoining County they shall file a petition with the Governor to that effect, stating the area proposed to be cut off, from what County, and to what County added, and that the two Counties as proposed to be changed would still meet all the Constitutional requirements, signed by one-third of the qualified electors residing in the area sought to be cut off. Upon the filing of said petition the same procedure shall be had as in the formation of new Counties, as provided in Sections 1, 2, 3, 4 and 5 herein.

How two Counties may consolidate.

Section 8. Whenever the citizens of two or more Counties desire to consolidate them into one they shall file a petition with the Governor to that effect, signed by one-third of the qualified electors residing in the Counties, and upon the filing of such petition the same proceedings shall be had as in the formation of new Counties provided for in Sections 1, 2, 3, 4 and 5. At the election ordered upon said petition

the electors shall vote for or against consolidation, the name of the new County and the location of the County seat.

A. D. 1896.

Approved the ninth day of March, A. D. 1896.

No. 36.

AN ACT to Provide for the Incorporation of Towns of Not Less Than One Thousand Nor More Than Five Thousand Inhabitants.

No. 79.

Section 1. Be it enacted by the General Assembly of the State of South Carolina, That citizens of any proposed town of this State of not less than one thousand nor more than five thousand inhabitants desiring to be incorporated shall present to the Secretary of State a petition for that purpose, setting forth the proposed corporate limits and number of inhabitants therein, signed by at least fifty freehold voters of such town. The Secretary of State shall then issue a commission to not more than ten Commissioners, citizens of said proposed town, empowering them to procure the proper registration of the electors of the town within the proposed corporate limits, and to advertise an election for twenty (20) days and to appoint Managers to conduct the same, which election shall be conducted as all other municipal elections, and at such election the electors shall vote on the following questions: 1. Corporation. 2. Name. 3. Mayor and six Aldermen. The Managers of Elections shall make a sworn return of the result of said election on said questions to said Commissioners, who shall thereupon make a return to the Secretary of State, attaching said Managers' return. Thereupon the Secretary of State shall issue to the Mayor and Aldermen elect a certificate of incorporation of said town under this Act. Said town shall have all the powers, privileges and immunities, and be subject to all the liabilities and limitations, prescribed in this Act.

Petition for incorporation.

Question to be submitted to an election.

Secretary of State to issue certificate of election.

Section 2. Said town shall be governed by a Mayor and six Aldermen, or in case of municipalities being divided into wards one Warden from each ward, who is a qualified

Town; how governed.

A. D. 1898.

Town Council.

elector thereof, who shall be citizens of the United States and who shall be electors who actually reside in the corporate limits of said town and have so resided at least six months immediately preceding the day of election. The said Mayor and Aldermen shall be, and be known as, the Town Council of said town, and shall be elected every two years, on such days and at such place in said town as shall be designated by the Town Council of said town, ten days' public notice thereof being previously given. They shall hold their offices for the term of two years and until successors shall have been elected and qualified.

Elections; where held and how conducted.

Section 3. All elections shall be held in some convenient public place in said town; the polls shall be open from eight o'clock in the forenoon to four o'clock in the afternoon, and shall be conducted by Managers who shall be appointed as hereinafter provided for.

Who may vote.

Section 4. All male inhabitants residing within the corporate limits of the town and qualified to vote at such municipal election according to the provisions of the Constitution of this State, who have been duly registered, shall be entitled to vote in such election.

Elections for Mayor and Aldermen.

Section 5. In all cases of towns incorporated under this Act, three Managers of Election shall be appointed by the Town Council of such town at least ten days before the day fixed for the holding of an election for Mayor and Aldermen, or either of them, and the names of such Managers shall be published at the same time and in the same place as the notice of such election hereinafter provided for.

How such elections shall be conducted.

Section 6. The Managers shall be sworn by the Mayor, or, in his absence or in case of disability, by one of the Aldermen of said town, or in case there is no Mayor or Aldermen, then by any officer authorized to administer oaths, fairly and impartially to conduct such election according to law and make a true return of the result thereof. Immediately upon the closing of the polls the Managers shall proceed to count publicly the votes cast, and shall continue such count until the same is completed, and make a statement of the whole number of votes cast in such election, together with the number cast for each person voted for, for Mayor and Alderman, upon the completion of which they shall transmit such statement to the Town Council of such town, and in case there be no Town Council they shall pro-

claim the election and transmit a copy of such statement to the Clerk of the Court of the County wherein such town is situated, and notify the parties elected of their election; and the said Mayor or Clerk of Court shall, immediately upon receipt of such statement or report of the Managers, open and publish the same by announcing the whole number of votes cast for each person voted for as Mayor or Alderman. The person securing the highest number of votes for Mayor shall be declared duly elected to that office, and the person receiving the highest number of votes for Aldermen, in number equal to the number of Aldermen to be chosen, shall be declared duly elected to that office. Such Mayor and Aldermen before entering upon the duties of their respective offices shall take the oath prescribed by the Constitution and also the following oath, to wit: "As Mayor (or Alderman) of the town of _____, I will equally, fairly and impartially, to the best of my ability and skill, exercise the trust reposed in me, and will use my best endeavors to preserve the peace and carry into effect according to law the purposes for which I have been elected: so help me God."

A. D. 1896.

Oath of office.

Section 7. In case a vacancy occur in the office of Mayor or Aldermen by death, resignation or otherwise, all elections to fill such vacancies shall be held in the same manner and after the same notice as hereinbefore provided. That should the vacancy occur within sixty days of the regular election it shall be left to the discretion of the Council whether or not they shall order an election to fill the vacancy. In case of a contest or protest as to any municipal or special election held under this Act, or by virtue of the incorporation herein created, the same shall be determined in the manner now provided by the General Statutes of this State.

Vacancies;
how filled.

Section 8. The Town Council of such town shall have power to elect one of its Aldermen Mayor pro tempore, who shall be vested with all the powers, duties and responsibility attaching to the office of Mayor during the temporary absence or disability of the Mayor; or when the office of Mayor shall be and become vacant by reason of death, resignation, removal or permanent disability of the Mayor, until a new Mayor shall have been elected and qualified. The said Mayor shall have power and authority to speedily try

Mayor pro
tempore.

A. D. 1896.

Powers of
Mayors to try
offenders.

all offenders against the ordinances of said town in a summary manner without a jury unless demanded by the accused, unless such person enter into good and sufficient recognizance, to be approved by said Mayor, or, in the case provided, the Mayor pro tempore, to appear for trial within four days after such arrest, or at such other time as may be agreed upon, in which event the trial shall be deferred until that time.

Power to fine
or imprison.

Section 9. Whenever said Mayor shall find a party tried before him guilty of violating an ordinance of said town, he shall have power to impose, in his discretion, a fine or imprisonment, in the alternative, not to exceed the limits prescribed for such violation by the ordinances of said town. From all decisions of said Mayor any party in interest feeling himself aggrieved shall have the right of appeal to the Town Council: Provided, He give notice of such appeal within twelve hours upon the sentence being pronounced, and enter into bond to appear and defend before said Council, at a time to be specified in such undertaking. At the trial of such appeal the Mayor, or, in case of his absence or disability, the Mayor pro tempore, shall preside and the Aldermen shall sit as a jury to try the facts. They may reverse, modify or confirm any or all rulings and conclusions of the Mayor or Mayor pro tempore made and reached in the first trial of the case.

Right of ap-
peal.

Mayor may
summon the Al-
dermen to meet
in Council.

Section 10. The Mayor shall have authority to summon the Aldermen to meet in Council for the transaction of business pertaining to the corporation whenever in his judgment it may be necessary. The said town shall have and keep a common seal, which shall be affixed to all ordinances passed by Mayor and Aldermen thereof. By its corporate name it may sue and be sued, plead and be impleaded, in any Court of law or equity in this State; and may purchase, hold, enjoy and possess for the use of said town, in perpetuity or for a term of years, any estate, either real or personal or mixed, and sell, alien and convey the same at will.

Town Council
to have power to
establish laws
and ordinances.

Section 11. And the said Town Council shall have full power to make, ordain and establish all such rules, by-laws, regulations and ordinances respecting its roads, streets, markets, police, health and order of said town as shall appear to them necessary and proper for the security, welfare and

convenience of the said town, or for preserving health, peace, order and good government within the same: Provided, That no monopoly shall be granted in such incorporated towns for the sale of meats or breadstuffs. And the Town Council may fix by ordinance and impose fines and penalties for the violation of the said rules, by-laws, regulations and ordinances, not to exceed the sum of one hundred dollars, or imprisonment for not more than thirty days, and shall appropriate all revenues arising therefrom to the use of the said corporation: Provided, Such ordinances, rules and by-laws or regulations be not contrary to the laws of the State. Every person sentenced to imprisonment, either directly or in consequence of a failure to pay a fine imposed, shall be subject to work upon the streets of said town during the said period of such imprisonment.

A. D. 1896.

Persons sentenced to imprisonment subject to work on the streets.

Section 12. That said Council may, and they are hereby, authorized annually to require by ordinance the payment of such reasonable sums of money as a license tax by any person or persons, corporation or corporations, engaged or intending to engage in any calling, business, occupation or profession, in whole or in part, within the limits of said towns, except those engaged in the calling or profession of teachers or ministers of the gospel. They shall have power to collect license or taxes from all persons representing publicly within the limits of said town, for gain or reward, any plays or shows of whatever nature or kind soever; and said Town Council are hereby authorized and empowered to pass such ordinances as are necessary to give full force and effect to this Section, and to punish delinquents thereunder.

Certain license taxes may be imposed.

Section 13. Said Council shall have power to impose by ordinance, published at least twenty days, an annual tax, not exceeding one per cent. of the assessed value thereof, on all real estate lying within the corporate limits of said town and all personal property owned or held within the same, including bonds and stocks of banks and insurance companies and other corporations, the real estate of churches and school associations from which such churches and school associations draw a revenue or which are intended to be rented out for such purpose. Such tax shall be levied by the town authorities on the property within the corporate limits as assessed for taxation for County and

Powers of taxation.

A. D. 1896.

State purposes. The taxes so levied shall constitute a lien upon the property upon which it is levied paramount to all other liens except the lien for County and State taxes and for the purpose of collecting the same.

Powers over
streets.

Section 14. The said Town Council shall have power to open, and it shall be their duty to keep in good repair, all the streets and ways which may be necessary for public use within the limits of said town, and for such purpose they are hereby invested with all the powers, rights and privileges now given, or hereafter to be given, to the County Board of Commissioners of the several Counties of this State on public roads within the limits of said town.

Section 15. The said Town Council shall have the power and authority to equip and control a fire department for the protection of said town in such way as they may deem necessary, and by ordinance to establish fire limits in said town, and to prescribe and designate the kind and character of material to be used in erecting and repairing buildings or structures within and upon that portion of said town included within such fire limits. All buildings or structures erected within such fire limit contrary to the ordinance of said town may be abated and removed by said Town Council as a public nuisance.

Policemen.

Section 16. The said Town Council shall have authority to appoint or elect as many policemen, regular or special, as may be necessary for the proper government of said town, to fix their salaries and prescribe their duties. They shall be sworn in and vested with all the powers now conferred by law upon Constables in addition to the special duties imposed upon them by Council: Provided, Such powers shall not be expressed beyond the limits of said town.

Guard house.

Section 17. The said Council shall have authority to establish a guard house and prescribe suitable rules and regulations for the government of the same. They may by ordinance, or the Mayor and Aldermen, or either of them, in person, authorize any policeman of said town to arrest and commit to said guard house for a period not exceeding twenty-four hours before trial, unless such arrest be made on Saturday, in which case it shall not exceed forty-eight hours before trial, any person or persons who, within the said corporate limits, shall be engaged in a breach of the peace, riotous or disorderly conduct, open obscenity, public drunk-

When parties
may be com-
mitted to.

eness, or any conduct grossly indecent; and it shall be the duty of the policemen of said town to arrest and commit all such offenders, when required by any ordinance or any member of said Council so to do, and they shall have power to call to their assistance the posse comitatus if necessary in making such arrests; and upon failure of such policemen to perform his duty he shall be liable to such fines and penalties as said Council may fix by ordinance; and all persons so imprisoned shall pay the costs and expenses incident to such imprisonment: Provided, That the imprisonment provided for in this Section shall not deprive the party so imprisoned of his rights to trial as hereinafter provided.

A. D. 1866.

Section 18. The said Town Council shall have full power to abate all nuisances wholly or partly within the corporate limits of said town, to appoint a Board of Health for said town, and to pass all such ordinances as may be necessary to define the duties of said Board. Said Town Council shall have power to borrow money for corporate purposes, and to issue from time to time as occasion may require the bonds of the corporation for the payment of the principal, of which said town shall be at all times liable: Provided, The property of the inhabitants of said town shall be bound for the redemption of said sum so borrowed, and the interest thereon, in no other way than by the imposition of an annual tax: Provided, further, That no such bonded debt shall in any instance exceed the maximum limit prescribed in the Constitution of this State, and that no bonded debt shall be issued except upon the vote of the citizens of the municipality as provided in the Constitution.

Nuisances may be abated.

Boards of Health.

May borrow money.

Section 19. The members of each Council shall within thirty days after the expiration of their term of office, and at the time of the qualifying of the members of the new Council, make and deliver to the members of such new Council a full and accurate account of their receipts and expenditures during the term for which they were elected. And they shall likewise publish at the end of each year after the beginning of their term of office a full statement of their receipts and expenditures during the preceding year. At the expiration of the term of office of any Council it shall be their duty to pay over to their successors any money in their hands or under their control at the time of making such returns belonging to said corporation, and

Reports of receipts and expenditures required.

A. D. 1806.

likewise to deliver up promptly at the end of their term all books, property, records or other property incident to their said offices to their successors; and on failure so to do they shall each be liable to the punishment prescribed by the following Section.

Penalty for violation of duty.

Section 20. For any willful violation or neglect of duty, malpractice, abuse or oppression, the Mayor or Aldermen so offending shall be liable to punishment by fine not exceeding one hundred dollars or imprisonment not exceeding thirty days, beside being liable for damages to any person injured by such neglect, malpractice, abuse or oppression.

Damages from defect in street or bridge.

Section 21. Any person who shall receive bodily injury or damages in his person or property through a defect in any street, causeway, bridge or public way, or by reason of defect or mismanagement of any thing under the control of the corporation within the limits of such town, may recover, in an action against the same, the amount of actual damages sustained by him by reason thereof. If any such defect in a street, causeway or bridge existed before such injury or damage occurred, such damage shall not be recovered by the person so injured if his load exceeded the ordinary weight: Provided, That said corporation shall not be liable unless said defect was occasioned by its neglect or mismanagement: Provided, further, Such person has not in any way brought about such injury or damage by his or her own negligent act or negligently contributed thereto.

Charter fee.

Section 22. Before any commission authorized in this Act is delivered by the Secretary of State he shall require the production of a receipt from the State Treasurer for twenty dollars as charter fee, which receipt shall be filed with the papers in office.

Clerk and Treasurer.

Section 23. Said Town Council shall have the power to elect a Clerk and Treasurer, who shall execute such bond for the faithful performance of his duties as fixed by said Town Council. Said Town Council shall fix the compensation of such Clerk and Treasurer before each election.

Trial by jury.

Section 24. Any person entitled to a trial by jury may demand a jury, and such jury when demanded shall be drawn from the qualified electors of the town in the same manner as is prescribed for drawing of juries in Magistrates' Courts.

Section 25. Any town of more than one thousand and less than five thousand inhabitants already chartered which is

desirous of surrendering its charter and accepting incorporation under this Act, or whose charter is about to expire, may be incorporated under this Act. The Town Council of such town may submit the question to a vote of the qualified electors at an election ordered on twenty days' notice. If the election results in favor of surrendering the old charter and accepting a charter under this Act, the Town Council shall certify such results, accompanied by the sworn return of the Managers of said election, to the Secretary of State, who shall thereupon issue to said Council a certificate of incorporation of said town with the privileges, powers and immunities, and subject to the limitations, prescribed in this Act.

A. D. 1896.

Town may
surrender char-
ter and incor-
porate under
this Act.

Section 26. That every certificate of incorporation shall continue of force from its date for a period of thirty years.

Term of in-
corporation.

Section 27. Said Town Council shall have power to extend the corporate limits of said town in the following manner: A petition shall be first submitted to said Council by a majority of the resident freeholders of the territory which it is proposed to annex praying that an election be ordered to see if such territory shall be included in said town. The said Town Council shall order an election after not less than ten days' public advertisement. At such election there shall be one poll at which the qualified electors of the town may vote and one poll for the qualified electors of the proposed territory to vote. If a majority of the votes at each poll shall be in favor of annexation the Council shall publish the result of said election and declare the annexed territory a part of said town: Provided, however, That if the property sought to be annexed belongs to a corporation only, it may be annexed on the petition of the stockholders of said corporation. Any town increasing its territory shall file a notice with the Secretary of State describing its new boundaries.

Power to ex-
tend the corpo-
rate limits, how.

Section 28. Any town may reduce its corporate limits in the following manner: Whenever a petition is presented to the Town Council signed by a majority of the resident freeholders of said town asking for a reduction of the corporate limits of said town, then said Council shall order an election, after not less than ten days' public advertisement. Such advertisement shall describe the territory that is proposed to be cut off. At said election should a majority of

How corpor-
ate limits may
be reduced.

A. D. 1896.

the qualified electors vote in favor of the release of the territory, then said Council shall issue its declaration declaring the territory no longer a portion of said town, and shall so notify the Secretary of State, furnishing him at the same time with the new boundaries of said town.

Wards.

Section 29. Any town may be divided into wards by its Town Council.

Approved the fifth day of March, A. D. 1896.

No. 37.

No. 51. AN ACT to Provide for the Corporation of Towns of Less Than One Thousand Inhabitants.

Petition for
incorporation.

Elections for.

Section 1. Be it enacted by the General Assembly of the State of South Carolina, That the citizens of any proposed town of not less than two hundred nor more than one thousand inhabitants in this State desiring to be incorporated shall file their petition to that effect, setting out the corporate limits proposed for the town and the number of inhabitants therein and signed by ten freehold electors thereof who are qualified electors in the precinct in which the proposed town is situated, with the Secretary of State. The Secretary of State shall then issue to three or more persons of said town a commission authorizing them to provide for the registration of all electors within the proposed corporate limit of said town, and to appoint three Managers of the Election, and at such election the said registered electors shall vote on the following questions: 1st, corporation; 2nd, name of town; 3rd, selection of Intendant and four Wardens. The Managers shall certify the result of such election under oath to the Secretary of State, and if in favor of corporation the Secretary of State shall issue to the Intendant and Wardens elect a certificate of incorporation of said town with the privilege, powers and immunities and subject to the limitations prescribed in this Act: Provided, That the corporate limits of towns of less than 1,000 inhabitants incorporated under the provisions of this Act shall not exceed further than one mile from the centre thereof.

Section 2. The officers of such town shall be an Intendant and four Wardens, who shall be citizens of the United States and shall have been residents of said town four months immediately preceding said election. Said officers shall be elected annually, and at such place in each town as the Intendant and Wardens shall designate, ten days' public notice being previously given. All male inhabitants residing within the limits of said town who are qualified to vote under the laws and Constitution of this State at municipal elections and have been duly registered shall be entitled to vote and to be elected as Intendant and Wardens, and the election shall be held from eight o'clock in the morning until four o'clock in the afternoon, when the polls shall be closed and the Managers shall count the votes and proclaim the election and give notice thereof to the person elected. The Intendant and Wardens before entering upon the duties of their offices shall take the oath prescribed by the Constitution of this State and also the following oath, to wit: As Intendant (or Warden) of the town of ———, I will equally and impartially, to the best of my skill and ability, exercise the trust reposed in me, and will use my best endeavors to preserve the peace and carry into effect, according to law, the purposes of my election: so help me God.

A. D. 1898.

Officers of.

Election for.

Oath of office.

Section 3. In case a vacancy shall occur in the office of Intendant or any of the Wardens by death, resignation, removal from the State, or for any other cause, an election shall be held to fill such vacancy, and the Intendant and Warden (or Wardens, as the case may be,) shall give ten days' previous public notice of such election: Provided, however, That should the vacancy occur within sixty days of the annual election, then the Town Council may, in its discretion, refuse to order an election to fill the vacancy. In case of sickness or temporary absence of the Intendant, the Wardens shall form a Council, which is empowered to elect one of their number to act as Intendant during such sickness or absence.

Vacancies.
how filled.

Section 4. The Intendants and Wardens, or a majority of them, duly elected and qualified, shall, during their terms of office, have the same power which a Magistrate now has to compel the attendance of witnesses and require them to give evidence upon the trial before them of any person for

Jurisdiction of
Intendant and
Wardens, to try
offenders and
in other mat-
ters.

A. D. 1896.

the violation of the laws or the ordinances of the town. The Intendant shall, as often as the occasion may require, summon the Wardens to meet him in Council, a majority of whom shall constitute a quorum for the transaction of business and shall be known by the name of the Town Council of the said town; and they and their successors in office shall have a common seal, and shall have power to appoint from time to time such and so many proper persons to act as Marshals or Constables as they shall deem expedient or proper, which officers shall have all powers, privileges and be subject to all the duties, penalties and regulations provided by the laws of this State for the office of Constable, and such compensation as the Town Council may prescribe; and the said Town Council shall have power and authority under their corporate seal to ordain and establish all such rules and by-laws and ordinances respecting the streets, ways, public wells and springs or fountains of water, market and police of said town, and for preserving health, peace, order and good government within the same, as they may deem expedient and proper, not repugnant to the laws of this State; and all such by-laws and ordinances shall at all times be subject to revision and repeal by the General Assembly of the State: Provided, That no monopoly be granted to such incorporated towns in the sale of meats or breadstuffs. And the said Council may impose fines for offenses against such by-laws and ordinances and appropriate the same to the use of the corporation, but no fines shall exceed thirty dollars; and said Town Council shall have power to issue execution to the Sheriff of the County for the collection of all fines imposed by it.

Power to abate
nuisances, &c.

Section 5. Said Town Council shall have power to abate and remove nuisances within the limits of said town and classify and arrange the inhabitants liable to police duty, and require them to perform such duty as occasion may require and to enforce performance thereof under the same penalties as are now or may hereafter be established by law. The said Town Council shall have power to compound with persons liable to perform such duty upon such terms as they shall by ordinance establish.

Jurisdiction
over streets.

Section 6. It shall be the duty of the Town Council to keep all streets and ways which may be necessary for public use within the limits of said town open and in good re-

pair, and for that purpose they are hereby invested with the powers, rights and privileges granted by law to the County Board of Commissioners within the limits of said town, and for neglect of duty they shall be liable to the pains and penalties imposed by law upon Commissioners of Roads for like neglect; and said Intendant and Wardens shall be exempt from the performance of road and police duty within the limits of said corporation.

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Section 7. The said Town Council shall have power to compound with the persons liable to work on said streets and ways, and to release such persons as may desire it upon the payment of such sums of money as they may by ordinance fix as a fair equivalent therefor, to be applied by them to the use of said corporation.

Street tax.

Section 8. The said Town Council may own and hold real and personal property not exceeding twenty thousand dollars in value.

May own property.

Section 9. The said Town Council shall also have power by ordinance to impose an annual tax on all real and personal property within the corporate limits of said town, but such tax must not exceed fifty cents on the one hundred dollars; and it shall also have power by ordinance to levy an annual tax upon any business or occupation conducted within the corporate limits, but such taxation must be uniform with respect to all of the classes taxed. The taxes so levied shall constitute a lien upon the property upon which it is levied paramount to all other liens except the lien for State and County taxes for the purpose of collecting the same. Said Town Council shall be, and is hereby, empowered to issue executions against all property on which the taxes have not been paid and place the execution in the hands of some officer for collection, who shall have all the rights as now conferred upon Sheriffs for the enforcement of tax executions.

May impose tax.

Section 10. The said Town Council shall have power to regulate sales at auction within the limits of said town and to grant licenses to auctioneers: Provided, That nothing herein shall extend to sales by or for the Sheriff, Clerk of Court, Judge of Probate, Coroners, executors and administrators, assignees, or by any other person under the order of any Court, Magistrate or other inferior Court, or by the owner or owners of the property sold.

Auction and auctioneers.

A. D. 1896.

Sidewalks.

Section 11. The Town Council of said town shall have the power and authority by ordinance to require all persons owning a lot or lots in said town to keep in repair the sidewalks adjacent to their lots respectively, and for default in this matter shall have power and authority to impose a fine not exceeding fifteen dollars.

Power to arrest and commit on conviction.

Section 12. Said Town Council shall have power to arrest, and upon conviction to commit to the town guard house for a space of time not exceeding five days, and to fine not exceeding twenty dollars, any person or persons who may be guilty of disorderly conduct in said town, to the annoyance of the citizens thereof, and it shall be the duty of the Marshal of the town to make such arrest, and to call to his assistance the posse comitatus, if necessary, and upon failure to perform the said duty he shall be fined in a sum not exceeding twenty dollars for each and every offense.

Id.

Section 13. The said Intendant and Wardens in person, or any of them, may authorize and require any Marshal or Constable, especially appointed for that purpose, to arrest, and upon conviction before the Town Council to commit to the guard house, which said Town Council is authorized to establish, or to the County jail, for a term not exceeding five days, any person or persons who within the corporate limits of said town may be engaged in a breach of the peace, any riotous or disorderly conduct, open obscenity, public drunkenness, or any conduct grossly indecent or dangerous to the citizens of the said town or any of them: Provided, That if the offender be committed to jail it shall be done at the expense of the said town.

Records.

Section 14. Said Town Council shall keep a record of all its official acts and ordinances.

Trial by jury.

Section 15. Any person entitled to a trial by jury may demand a jury, and such jury when demanded shall be drawn from the qualified electors of the town in the same manner as is prescribed for drawing of juries in Magistrates' Courts.

How corporate limits may be extended.

Section 16. Such Town Council shall have power to extend the corporate limits of said town in the following manner: A petition shall first be submitted to said Council by a majority of the resident freeholders of the territory which it is proposed to annex, praying that an election be ordered

to see if such territory shall be included in said town. The said Town Council shall order an election after not less than ten days' public advertisement. At such elections there shall be one poll in which the qualified electors of the town may vote, and one poll for the qualified electors of the proposed territory to vote. If a majority of the votes at each poll shall be in favor of annexation, the Council shall publish the result of said election and declare the annexed territory a part of said town: Provided, however, That if the property sought to be annexed belongs to a corporation only, it may be annexed on the petition of the stockholders of said corporation. Any town increasing its territory shall file a notice with the Secretary of State describing its new boundaries.

A. D. 1896.

Section 17. Any town may reduce its corporate limits in the following manner: Whenever a petition is presented to the Town Council signed by a majority of the resident freeholders of said town asking for the reduction of the corporate limits of said town, then said Council shall order an election after not less than ten days' public advertisement; such advertisement shall describe the territory that is proposed to be cut off at said election. Should a majority of qualified electors vote in favor of the release of the territory, then said Council shall issue its declaration, declaring the territory no longer a portion of said town, and shall so notify the Secretary of State, furnishing him at the same time with the new boundaries of said town.

How corporate limits may be reduced.

Section 18. Before the issue of the commission herein provided for by the Secretary of the State he shall require the incorporators to produce a receipt of the Treasurer of the State for a fee of ten dollars, which receipt shall be filed with the applications in his office.

Charter fee.

Section 19. That such charter shall continue from its date for a period of thirty years.

Term of charter.

Section 20. Any town of less than one thousand inhabitants already chartered which is desirous of surrendering its charter and accepting incorporation under this Act, or whose charter is about to expire, may be incorporated under this Act. The Town Council of such town may submit the question to a vote of the qualified electors at an election ordered on twenty days' notice. If the election results in favor of surrendering the old charter and accepting a char-

Towns may surrender charter and be incorporated under this Act.

A. D. 1896.

ter under this Act, the Town Council shall certify such results, accompanied by the sworn return of the Managers of said election, to the Secretary of State, who shall thereupon issue to said Council a certificate of incorporation of said town with the privileges, powers and immunities and subject to the limitations prescribed in this Act.

Section 21. That every certificate of incorporation shall continue from its date for a period of thirty years.

Approved the second day of March, A. D. 1896.

No. 38.

No. 53. AN ACT to Define in What Manner Towns and Cities in South Carolina May Increase or Diminish Their Corporate Limits.

How cities
and towns may
increase their
limits.

Section 1. Be it enacted by the General Assembly of the State of South Carolina, Any Town or City Council shall have power to extend the corporate limits of said city or town in the following manner: A petition shall first be submitted to said Council by a majority of the resident freeholders of the territory which it is proposed to annex praying that an election be ordered to see if such territory shall be included in said town. The said Town Council shall order an election after not less than ten days' public advertisement. At such election the qualified electors of the municipality shall vote at the usual voting precincts thereof, and the municipal authorities shall provide one polling precinct in the territory proposed to be annexed for the qualified electors of the proposed territory to vote. If a majority of the votes at each poll shall be in favor of annexation, the Council shall publish the result of said election and declare the annexed territory a part of said town: Provided, however, That if the property sought to be annexed belongs to a corporation only, it may be annexed on the petition of the stockholders of said corporation. Any town increasing its territory shall file a notice with the Secretary of State describing its new boundaries.

How cities
and towns
may decrease
their limits.

Section 2. Any town or city may reduce its corporate limits in the following manner: Whenever a petition is presented to the Town Council signed by a majority of the resi-

dent freeholders of said town asking for the reduction of the corporate limits of said town, then said Council shall order an election after not less than ten days' public advertisement; such advertisement shall describe the territory that is proposed to be cut off. At said election should a majority of the qualified electors vote in favor of the release of the territory, then said Council shall issue its ordinance declaring the territory no longer a portion of said town, and shall so notify the Secretary of State, furnishing him at the same time with the new boundaries of said town.

A. D. 1896.

Section 3. Any town or city may extend its corporate limits so as to include any or all cemeteries adjoining said town or city, for the purposes only of police and sanitary measures, by the passage of "an ordinance" declaring them to be a portion of said town or city; but the inclusion of said cemeteries does not convey to the city or town the right to tax them in any manner whatsoever.

Approved the twenty-eighth day of February, A. D. 1896.

No. 39.

AN ACT to Authorize all Cities and Towns to Build, Equip and Operate a System of Water Works and Electric Lights and to Issue Bonds to Meet the Cost of Same.

No. 67.

Section 1. Be it enacted by the General Assembly of the State of South Carolina, That all cities and towns shall have full power and authority to construct and operate water works and electric light works within the corporate limits of said cities and towns for the use and benefit of said cities and towns and its citizens, and to purchase, own and operate apparatus for generating either electricity or gas for the use and benefit of said cities and towns and its citizens, or to contract for the erection of plants either for water works or lighting purposes, one or both, for the use of said cities and towns, and to supply the citizens thereof; and to meet the cost of same the said cities and towns shall issue coupon bonds, bearing interest at a rate not to exceed six per centum per annum, payable in any legal tender money of the United States forty years after date, with the privilege of redemption after twenty years from date: Pro-

Cities and towns may operate water works.

A. D. 1896.

Proviso.

vided, That before any bonds shall be issued under the provisions of this Act the City or Town Council of the said municipality shall submit the question of the issue to the qualified registered electors of such cities and towns at an election to be by said City or Town Council appointed and conducted in accordance with the laws of force governing municipal elections: And provided, That before any election shall be held under the provisions of this Act a majority of the freehold voters of said city or town shall petition the said City or Town Council that the said election be ordered; and if a majority of electors voting at said election vote for said issue of bonds the said City or Town Council shall so declare by ordinance, and shall issue said bonds and turn them over to the Board of Commissioners of Public Works of said city or town hereinafter established.

Elections for
bonds, and
Commissioners
of Public Works

Section 2. At such election for bonds the elector shall vote for three citizens of such town or city, whose terms of office shall be respectively two, four and six years, and until the general election for municipal officers next following the expiration of the short term, and until their successors are elected and qualified. The classification above designated as to the terms shall be ascertained by the Commissioners after election by lot. At each general election for municipal officers following the expiration of the term of the Commissioner holding the short term, and at every such election every two years thereafter, one such Commissioner shall be elected for a term of six years and until his successor is elected and qualified. The officers so elected and their successors in office shall be known as the Commissioners of Public Works of such municipality, and by that name may sue and be sued in any of the Courts of this State. At the first meeting of the Commissioners after election, and after any election for a full term, they shall organize by the election of one of their number as Chairman. The Clerk or Recorder of the municipality shall act as Secretary of the Commissioners. The Mayor and Aldermen of a city, or the Intendant and Wardens of a town, shall fill any vacancy occurring in said Commissioners, by death, resignation or otherwise, by appointment for the unexpired term. The persons elected or appointed to such office shall qualify by taking the same oath as the election officers of the municipality take. The Mayor of the city or

the Intendant of the town shall notify the persons so elected as members of Commissioners of Public Works of their election within ten days after the result of such election is declared.

A. D. 1896.

Section 3. That said Board of Commissioners of Public Works shall be vested with authority to build or contract for building said water works and said electric light plant and to operate same, and shall have full control and management of same. They may supply and furnish water to the citizens of said cities and towns, and also electric, gas or other light, and may require and exact payment of such rates, tolls and charges as they may establish for the use of water and lights. They may sell and dispose of said bonds and apply the proceeds, or so much thereof as may be necessary, towards the purchase of or payment for said plants.

Powers of
Commissioners.

Section 4. That the said City or Town Council are hereby authorized to assess, levy and collect, in addition to the annual tax levies for other purposes, a sufficient annual tax from the taxable property of said cities or towns to meet the interest to become due upon said bonds, and also to raise the sum of at least one-fortieth part of the entire bonded debt as a sinking fund in aid of the retirement and payment of said bonds. Said sinking fund shall be under the control and management of the Board of Commissioners of Public Works, and shall be applied to the said bonds, or invested to meet the payment of same when due.

Taxes there-
for, how levied
and collected.

Section 5. That the said cities and towns shall have the power and authority to purchase and hold suitable lands and water within the limits of the County, and to erect such aqueducts, dams, canals, buildings, machine shops and other works, and to construct and lay such conduits, mains and pipes, as may be necessary to obtain and secure a supply of water and power for operating said water works and electric light works. And said cities and towns shall have power to erect poles and wires along any of the adjacent highways and in said cities and towns, and shall have the right to condemn any property or rights of way to enable it to lay mains and pipes, and erect and operate said aqueducts, dams, canals, and water and electrical works, and electric lines on payment to the owner or owners thereof just compensation for such property or rights of

Cities and
towns may pur-
chase lands, &c.,
for said purpose

A. D. 1896.

way to be condemned, such compensation to be determined in the manner now provided by law for the condemnation of lands and rights of way by railroad corporations.

Section 6. That this Act shall take effect at and from the date of its approval.

Approved the second day of March, A. D. 1896.

No. 40.

No. 92. AN ACT to Authorize and Empower Cities, Towns, Townships and Other Municipal Corporations to Issue Negotiable Coupon Bonds for the Refunding or Payment in Whole or in Part of Bonded Indebtedness and Any Unpaid Past Due Interest Thereon Existing at the Time of the Adoption of the Present Constitution.

Coupon bonds may be issued for past indebtedness.

Provisions as to said bonds.

Section 1. Be it enacted by the General Assembly of the State of South Carolina, That any city, town, township or other municipal corporation, for the purpose of refunding or paying the whole or any part of its bonded indebtedness existing at the time of the adoption of the present Constitution, and any unpaid past interest thereon, shall be, and it is hereby, authorized and empowered to issue its negotiable coupon bonds from time to time; and in such amounts as shall be proper, and to use and dispose of the same, either by sale or exchange, for the purposes aforesaid. That said bonds issued under the provisions of this Act shall be payable in not more than twenty years from their date, and shall be in sums of one hundred dollars, five hundred dollars, or one thousand dollars each, bearing interest at such rate as shall be directed by the City Council or Town Council or other corporate authority of said cities, towns, townships or other municipal corporation respectively, said interest to be payable semi-annually: Provided, Said rate of interest shall not exceed the rate of interest borne by the previous issue of bonds: And provided, further, That the aggregate amount of the principal of the bonds at any time issued under this Act by any city, town, township or other municipal corporation shall not exceed the aggregate amount of said bonded indebtedness and past due interest thereon to refund or pay which said bonds shall be issued

under this Act; And provided, further, That the principal and interest in any legal tender money of the United States.

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Section 2. That bonds authorized to be issued under this Act may be issued without submitting the question as to the creation of such bonded indebtedness to the qualified electors of such city, town or other municipal corporation issuing such bonds under this Act, and all provisions in any charter of any city, town or other municipal corporation requiring such submission to the qualified voters thereof be, and the same are hereby, repealed.

Bonds, how issued.

Section 3. That the City Council or Town Council or other corporate authorities of said cities, towns, townships or other municipal corporations, respectively, be, and they are hereby, authorized and empowered to levy an annual tax on all taxable property of said cities, towns or other municipal corporations, respectively, to provide for the payment of the principal and interest of the said bonds as the same shall become due.

Tax for the payment of.

Section 4. That the City Council or Town Council or other corporate authorities of such city or town, township or other municipal corporation, respectively, who may issue bonds under the terms of this Act shall have authority to provide in any ordinance adopted requiring or permitting the issuing of said bonds that the coupons and principal on said bonds, or either, shall be receivable for taxes due to the city, town, township or other municipal corporation respectively, issuing the said bonds during the year in which they mature, and shall further have authority to declare by such ordinance that in case of the neglect or failure of the City Council or Town Council or other municipal authority, respectively, to levy the taxes required by this Act to be levied to provide for the payment of the principal and interest of said bond, then the holder or holders of any of the said bonds or coupons may enforce the same by mandamus in any of the Courts of this State.

Powers of City or Town Council to make the coupons receivable for taxes.

Section 5. That for the purposes of issuing the bonds provided for in this Act the Township Commissioners shall be, and are hereby declared to be, the proper corporate authorities of the townships to issue such bonds, except that in cases where an incorporated city or town is within a township, the Township Commissioners and the City Council or

Township Commissioners may issue the bonds.

A. D. 1896.

Town Council (as the case may be) shall be, and are hereby declared to be, the proper corporate authorities of the township to issue such bonds.

Repealing
clause.

Section 6. That all Acts or parts of Acts heretofore enacted authorizing and empowering any city, town or other municipal corporation to issue bonds in whole or in part to take up or refund any bonded indebtedness, under which Act the bonds provided thereby to be issued have not been actually issued and disposed of before the approval of this Act, be, and the same are hereby, repealed.

Approved the ninth day of March, A. D. 1896.

No. 41.

No. 178. AN ACT to Authorize Special Elections in Any Incorporate City or Town of This State for the Purpose of Issuing Bonds for Corporate Purposes.

Special elec-
tion for issuing
bonds.

Section 1. Be it enacted by the General Assembly of the State of South Carolina, That it shall be the duty of the municipal authorities of any incorporated city or town of this State, upon the petition of a majority of the freeholders of said city or town, as shown by its tax books, to order a special election in any such city or town for the purpose of issuing bonds for any corporate purpose set forth in said petition: Provided, That the aggregate bonded indebtedness of any city or town shall never exceed eight per centum of the assessed value of the taxable property therein.

Who entitled
to vote.

Section 2. After the general election of the year 1896 such persons shall be entitled to vote at any such special election as are qualified under Section 13, Article II, of the Constitution of 1895 of this State; and should a majority of those voting in said election vote in favor of said bond issue, then the municipal authorities of said city or town shall be authorized to issue said bonds, which shall be of such denomination and run for such length of time and bear such rate of interest, not exceeding seven per centum per annum, as the said municipal authorities shall prescribe.

Approved the ninth day of March, A. D. 1896.

No. 42.

A. D. 1896.

AN ACT to Amend an Act Entitled "An Act to Provide for the Appointment of a Board of Police Commissioners, and for the Reorganization of the Police, and to Provide Salaries for the Same in Cities and Incorporated Towns When Deemed Necessary or Advisable for the Better Enforcement of the Law in Cities and Towns."

No. 193.

Section 1. Be it enacted by the General Assembly of the State of South Carolina, That an Act entitled "An Act to provide for the appointment of a Board of Police Commissioners, and for the reorganization of the police, and to provide salaries for the same in cities and incorporated towns when deemed necessary or advisable for the better enforcement of law in cities and towns," be, and the same is hereby, amended so that Sections 2d, 5th and 8th thereof shall read as follows:

Act amended.

Section 2. Such Board of Police Commissioners shall also immediately appoint a Marshal, who shall be the Chief of Police, and the necessary commissioned officers, who shall give bond in an amount equal to that required on the 18th day of December, 1894, of similar officers under the ordinances of such cities and towns, subject to the order of the Board, and as many policemen as may be deemed necessary by the Board, not exceeding in the aggregate two for every one thousand inhabitants according to the last United States census, and who shall have been residents of such city or town at least six months prior to their appointment: Provided, That the State Board may at any time, if they judge the number of officers and policemen so appointed unnecessarily great, reduce the number of officers or policemen so appointed to such number as they may deem necessary: And provided, further, That the said Board of Police Commissioners shall immediately report to the Mayor or Intendant of such city or town the name, rank and rate of compensation of every officer or policeman so appointed, except detectives authorized in this Act to be appointed, and in case of the removal or discharge of any of such officers or policemen, the date of such removal or discharge. The Marshal, commissioned officers and policemen shall hold their respective offices coterminally with the Board appointing them, subject, however, to removal at any time by a majority of the Board of Police Commissioners. The Marshal, commissioned officers and policemen so appointed

Police Commissioners to appoint Marshal, &c.

Policemen.

A. D. 1896.

Duty of Marshal and policemen.

shall see that the ordinances of said city or town which require duties of the police are strictly enforced, and shall have exclusive power, and it shall be their duty, to serve all process issued by the Mayor, Intendant, or City Recorder, and all notices and papers issued by the Board of Police Commissioners. The Marshal or other person acting as chief officer of such police force shall cause to be furnished a daily report to the Mayor or Intendant, as the case may be, of any infractions of city ordinances so that the municipal authorities may be fully advised of every infraction thereof, and of the actings and doings of the police in relation thereto. They, the said Marshal, officers and policemen, shall, in execution of any municipal ordinances or State laws, have and exercise all the Common Law and Statutory power of Constables within such city or town, except for service of civil process, and they shall also have all the powers now had and exercised by policemen under the laws of the State and ordinances of such city: Provided, That no city or town shall be liable in damages for any of the acts of any of the Marshals, officers, policemen or officials appointed under the provisions of this Act.

Council to provide for the expenses.

Section 5. It shall be the duty of the Mayor and Council of any such city or town to provide at its expense all necessary accommodations for the sessions of the Board, and to provide a police court room, station houses and prisons, and to furnish, warm and light the same; to furnish food for prisoners, to provide for the monthly or semi-monthly payment of the Marshal, necessary commissioned officers, if any, and policemen, on the certificate of the Board as to the amount due each; also, for such office expenses, records, books, stationery, printing, telegraphing, badges, clubs, and the repair and cleaning of police buildings, as may be necessary, with all the necessary cost of stables, horses, horse feed, shoeing of horses, patrol wagons, ambulances, conveyances, and generally all expenses incident to the management, maintenance, equipment and efficiency of a proper police department for said city or town, it being the true intent and meaning of this Act that all the necessary expenses of the police department shall be borne by the city or town out of the general revenue fund, notwithstanding the government of said department is vested exclusively in said Board: Provided, That when policeman

and commissioned officers are appointed for any city or town under the provisions of this Act such city or town shall receive and be paid the portion of Dispensary profits provided by law for cities and towns in which Dispensaries are located and in which an honest effort is being made by the authorities of such cities or towns to enforce the Dispensary Law.

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Dispensary profits.

Section 8. The annual salaries of the following named officers shall be fixed by order of the Board within the following limits, namely: The Marshal not less than two hundred dollars nor more than two thousand dollars per annum; the necessary commissioned officers, not less than one hundred and fifty dollars nor more than twelve hundred dollars per annum; the policemen each not less than ten dollars nor more than sixty dollars per month: Provided, That the said Board may, if necessary, employ a policeman or policemen additional as a skilled detective or detectives, not exceeding ten in number, and pay the same not less than fifteen dollars nor more than seventy-five dollars per month.

Salaries.

Section 2. A copy of all rules issued by said Board shall be forthwith furnished to the Mayor or Intendant for his information. That all claims against the Police Department be presented to the Mayor or Intendant in itemized form, and all payments be made by the Treasurer or disbursing officer of such town or city, or under his directions, and that any special policeman appointed, as provided in this Act, shall only be so appointed in case of emergency.

A copy of the Rules of the Board to be furnished the Mayor.

Approved the seventh day of March, A. D. 1896.

No. 43.

AN ACT to Amend the Charters of Cities and Towns in Regard to the Sale of Meats.

No. 3.

Section 1. Be it enacted by the General Assembly of the State of South Carolina, That from and after the approval of this Act no City or Town Council shall charge any citizen or citizens of this State license fees for the right to sell or offer for sale fresh beef, pork, mutton, fish, poultry or veal, produced or grown by the vender, excepting regular

No license for sale of fresh meats. Exceptions.

A. D. 1896.

butchers, who shall keep a regular butcher's stall or market house inside the incorporate limits of any city or town in which license may be required.

Any farmer or stock raiser may sell.

Section 2. Such license shall not give the holder thereof a monopoly of the sale of the articles enumerated above, but any farmer or stock raiser may sell or offer for sale, at any time, beef, mutton, pork or veal in cities or towns granting such license without being required to pay any fee for the right so to do.

Section 3. All Acts or parts of Acts inconsistent with this Act be, and the same are hereby, repealed.

Approved the seventh day of February, A. D. 1896.

No. 44.

No. 195. AN ACT to Empower the Municipal Authorities of the Cities and Towns of This State of Not Less Than Ten Thousand Inhabitants to Require the Weighing of All Coal Sold Within the Limits of Such Cities and Towns and to Impose a Charge Therefor.

Coal to be weighed on public scales; when.

Section 1. Be it enacted by the General Assembly of the State of South Carolina, That the municipal authorities of the cities and towns of this State of not less than ten thousand inhabitants be, and they are hereby, empowered to require all dealers of coal to weigh all coal sold within the limits of such cities and towns upon the public scales of such cities and towns and to impose a charge therefor of not more than ten cents for each draft.

Penalty.

Section 2. That said municipal authorities may enforce the provisions of the foregoing Section by such fine or imprisonment as may be now or hereafter prescribed by law for the violation of the ordinances of such cities or towns.

Approved the ninth day of March, A. D. 1896.

No. 45.

No. 186. AN ACT to Provide for the Formation of Certain Corporations Under General Laws.

Section 1. Be it enacted by the General Assembly of the State of South Carolina, That two or more persons desiring

to form themselves into a private corporation for the purpose of carrying on any manufacturing, mining, industrial, labor, immigration or other business, except for railroad purposes, in this State may file with the Secretary of State a written declaration, signed by themselves, setting forth: 1st. The names and residences of the petitioners. 2d. The name of the proposed corporation; the place at which it purposes to have its principal or only place of business; the general purpose of the corporation, and the nature of the business which it purposes to do. 3d. The amount of capital stock; the number of shares into which it is to be divided, showing the par value of each share. 4th. Any other matters which it may be desirable to set forth in the organic law.

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 Certain corporations; how created.

Section 2. Upon the filing of the declaration as above, the Secretary of State shall issue to the parties, or to any two or more of them, a commission constituting them a Board of Corporators, giving them authority to open books of subscription to the capital stock of the proposed company, requiring them to give such notice as he may deem fit of the times and places of the opening of the books of subscription.

Board of corporators commissioned by Secretary of State.

Section 3. All subscriptions to the capital stock of any company organized or proposed to be organized under the provisions of this Act shall be made payable in money or in labor, or property at its money value, to be named in the list of subscription; and in case of a failure to perform the labor or deliver the property according to the terms of the subscription, the money value thereof, as named in the lists of subscriptions, shall be paid by the subscribers.

Subscriptions, how payable.

Section 4. When not less than fifty per cent. of the proposed capital stock has been subscribed by bona fide subscribers, the Board of Corporators shall call the subscribers together, a majority of whom in value being present, either in person or by proxy, shall proceed to the organization of the company by the election of a Board of Directors from among themselves, of not less than three nor more than nine members, to manage the affairs and business of the company for the ensuing twelve months, or until their successors are duly elected and qualified. The Board of Directors thus elected shall elect a President or executive officer from their own number; and they shall also elect such per-

Organisation, when effected.

A. D. 1896.

How certificate
of corporation is
secured.

son as they may see fit as Secretary, both to serve for such time and under such conditions as the company may determine in their by-laws.

Section 5. Upon the completion of the organization of the company and the payment to the Treasurer of the company, or some officer designated for that purpose, in cash, of at least 20 per cent. of the capital subscribed payable in money, and the payment of the remainder of the capital so subscribed for payable in money being secured to be paid in such installments and at such time as may be provided in the written declaration required by Section 1, and also the delivery to such officers or officer of at least 20 per cent. of the property so subscribed to the capital stock, with security for the delivery of the remainder of said property so subscribed to the capital as may be promised in said written declaration required by Section 1, the Board of Corporators shall in writing over their signatures certify the same to the Secretary of State, who shall issue to the company a certificate that they have been fully organized according to the laws of South Carolina, under the name and for the purpose indicated in their written declaration, and that they are fully authorized to commence business under their charter, a copy of which certificate shall be filed and recorded in the office of the Register of Mesne Conveyance for each County where such corporation shall have a business office: Provided, That in cases of building and loan associations and other corporations, when, by the terms of the declaration, the capital stock is to be paid in in installments, the certificate herein provided for may be issued when 50 per cent. of the first installment of such capital stock shall have been paid in and the provisions of this Act in other respects complied with; and the certificate so issued may make such provision for the winding up of such corporation as is embodied in such written declaration.

Exception as
to building and
loan associa-
tions.

Board of corpo-
rators to turn
over to the com-
pany.

Section 6. Upon the issuance of the certificate of incorporation by the Secretary of State, the Board of Incorporators shall turn over to the company the money, subscription lists, notes, obligations or other papers they may have taken as corporators in the formation of the company, and henceforth all such money, lists, notes, obligations or other papers shall belong to and be the property of the company, and shall be as binding on the company as if taken and made by themselves.

Section 7. The application, orders, returns and certificates relating to the organization of the company shall be recorded in a book kept by the Secretary of State for that purpose, and for all such certificates, orders, transcripts and records the Secretary of State shall be entitled to such fees as are allowed by law in other cases for like services.

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Proceedings
to be recorded
by Secretary of
State.

Section 8. Among the powers of such bodies corporate shall be the following: 1. To have perpetual succession. 2. To sue and be sued by the corporate name. 3. To have a common seal, and to alter the same at pleasure. 4. To render the shares or interest of the stockholders transferable, and to prescribe the mode of making such transfers. 5. To make contracts, loan money, and acquire and transfer property, both real and personal, possessing the same powers in such respects as individuals now enjoy. 6. To establish by-laws and make all rules and regulations deemed expedient for the management of their affairs not inconsistent with the Constitution and laws of this State or the United States.

Section 9. Any company organized under the provisions of this Act may increase its capital stock to an amount not exceeding one million of dollars, by giving each stockholder the preference of taking the increase in proportion to the amount of the original stock he may own, by a vote of two-thirds of the stock in value, had at a meeting called for the purpose, and by and in pursuance of a notice given for thirty days in some newspaper published in the County where the company has its principal place of business, or where no paper is published in the County, by notice posted up at the court house door for a like period, giving the time, place and purpose of the meeting of stockholders. That when said capital stock is increased a certified copy of the resolution increasing said capital stock shall be filed in the office of the Secretary of State.

How capital
stock may be
increased.

Section 10. That any company organized under the provisions of this Act may borrow money for the purpose of carrying out the object of its charter, and may make notes, bonds or other evidences of debt, and by a vote of a majority of the stock, had at a meeting called for the purpose by advertisement, as provided above in the preceding Section of this Act, may secure the payment of said notes,

Company may
borrow money.

A. D. 1896.

bonds or evidences of debt by mortgage or deed of trust on all or any of their property and franchises, both real and personal.

Annual meeting of stockholders.

Section 11. A meeting of the stockholders shall be held annually in this State at such time and place, and under such notice, as the by-laws may direct, for the election of Directors and for the transaction of business. In all meetings of stockholders each stockholder shall be entitled to one vote for each and every share of stock held or owned by such stockholder.

President, how elected.

Section 12. The Directors chosen shall elect from their number a President and such other officers, agents and servants as they may see fit, and may discharge the President or other officer, agent or servant at pleasure. In case any vacancy occurs in the Board of Directors by death, resignation or otherwise before the expiration of the year for which he may have been elected, such vacancy shall be filled by the Directors. The Directors and officers elected shall hold their office for one year, or until their successors are elected and qualified.

Failure of annual meeting not to work forfeiture.

Section 13. A failure to hold meetings or to elect Directors on the day appointed by the by-laws shall not work a forfeiture of the charter of the company, but a meeting may be called by the President for that purpose by advertising as required in Section 9; or if he fails or refuses to call a meeting upon a written application of stockholders owning one-fifth of the capital stock of the company, they may call the meeting by advertisement as above.

Lien on stock for unpaid balances.

Section 14. The corporation shall have a lien upon the stock of each shareholder for all amounts which may be due upon his subscription for stock, and in case of failure by him to pay within thirty days after the time appointed any installment required to be paid by the terms of the subscription, such corporation, after thirty days' personal notice, or, if that cannot be given, notice by mail, addressed to the place of residence of the subscriber, if known, and by advertisement by publication in the public newspaper published nearest to the place of business of such corporation once a week for four successive weeks, may, at its option, consolidate into as many par shares as the money paid by such defaulting subscriber will amount to, and issue to such stockholder a certificate therefor, and declare the fraction

of a share remaining unpaid forfeited to the corporation, or may proceed to collect what may remain unpaid of the original subscription by suit; but if such subscriber be dead at the time of the default, such forfeiture shall not be declared till after the expiration of the time when the representative is exempt from suit. If such subscription for stock be declared forfeited, such corporation may proceed and sell the forfeited share, and the shares subscribed but not paid for by such defaulting subscriber, at public or private sale, and the purchaser shall become the owner thereof, subject to the terms of the original subscription. No stock shall be issued by any company incorporated under the provisions of this Act until fully paid according to the terms of the subscription, except in cases of building and loan associations and other corporations, when by the terms of the charter the capital stock is to be paid in installments, and no transfers of stock shall be valid, except as between the parties thereto, until the same shall have been regularly entered upon the books of the company, so as to show the name of the person by whom and to whom the transfer is made, the number and other designation of the shares and the date of the transfer.

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Powers of
corporations in
certain cases.

Section 15. Corporations organized under the provisions of this Act for mining or manufacturing purposes shall have power to construct and operate a railroad, tramway, turnpike or canal, for their own use and purposes, to and from their works or place of business, or to connect with some navigable stream, or with some existing railroad, turnpike or other public highway, not to exceed ten miles in length, and shall have the right to condemn for the use of such road the right of way in lands over which the road may pass, on payment to the owner thereof just compensation, such compensation to be determined in the manner now provided by law for railroad corporations.

Powers of
mining and
manufacturing
companies.

Section 16. Any corporation for banking purposes may be organized under the provisions of this Act, subject, however, to all the provisions, restrictions and limitations of an Act entitled "An Act to provide for and regulate the incorporation of banks in this State," approved December 24th, A. D. 1885.

Banking cor-
porations.

Section 17. The books of any corporation organized under this Act shall be open to the inspection of any stockholder

Books of cor-
porations open
to inspection.

A. D. 1892.

at any and all times, and the intentional keeping of false books or accounts by any corporation organized under this Act whereby any one is injured shall be a misdemeanor on the part of those concerned therein, and they shall, upon trial and conviction, be fined or imprisoned in the discretion of the Court.

Non-user for five years of charter, a forfeiture.

Section 18. Any corporation organized under the provisions of this Act shall cease to exist by a non-user of its franchises for five years at any one time.

Charitable, social, educational and religious societies; how formed.

Section 19. Two or more persons desiring to form themselves into a Church, Cemetery Company, Freemason or Odd Fellows or Knight of Pythias Lodge, Fire or Hook and Ladder Company, or any Charitable, Social, Educational or Religious Society, may file with the Clerk of the Court of the County wherein they reside a written declaration, signed by themselves, setting forth: 1. The names and residences of the members. 2. The name of the proposed corporation, the place at which it is proposed to locate it, and the general purpose of the corporation. 3. Any other matters which it may be desirable to set forth in the organic law. And thereupon the said Clerk shall issue to such persons a certificate that they are incorporated for the purposes named in said declaration under the name therein mentioned. Which certificate shall be recorded in the office of the Register of Mesne Conveyance for the County in which the said association is located.

General powers.

Section 20. Such corporations shall have the following powers: 1. To make by-laws, not inconsistent with the laws of this State, or the United States. 2. To have and use a common seal, and the same to change at pleasure. 3. To sue and be sued, plead and be impleaded. 4. To have, hold and keep such real and personal property as may be proper and necessary for corporate purposes, and the same to sell, alien, mortgage or otherwise dispose of at will of said corporation. 5. And any other powers common to such corporations and consistent with the laws of the land.

All charters subject to amendment or repeal.

Section 21. It shall be deemed a part of the charter of every corporation created under the provisions of any general law, and of every charter granted, renewed or amended by Act or Joint Resolution of the General Assembly, (unless such Act or Joint Resolution shall, in express terms, de-

clare the contrary,) that such charter, and every amendment and renewal thereof, shall always remain subject to amendment, alteration or repeal by the General Assembly.

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Section 22. The following provisions shall constitute a part of the charter of every corporation, other than railroad and banking corporations already in existence under Act of Assembly in this State, either general or special, passed since the adoption of the present Constitution, or which may be at any time hereafter created under or by virtue of any Act of Assembly, general or special, to wit:

Parts of every charter.

(A) That each stockholder in any such corporation shall be jointly and severally liable to the creditors thereof in an amount, besides the value of his share or shares therein, not exceeding five per cent. of the part value of the share or shares held by such stockholders at the time the demand of the creditor was created: Provided, That such demand shall be payable within one year, and that proceedings to hold such stockholders liable therefor shall be commenced within two years after the debt becomes due, and while he, she or it remains a stockholder therein, or within two years after he, she or it shall have ceased to be a stockholder: And provided, further, That persons holding stock in such companies as trustees or executors, administrators, or by way of collateral security, shall not be personally subject to the liabilities of stockholders under the foregoing provisions, but the persons pledging such stock shall be liable as stockholders, and the estates and funds in the hands of such executors or administrators shall be liable in their hands in like manner and to the same extent as the deceased testator or intestate, or the ward or person interested in said trust estate, would have been if they had respectively been living and competent to act and hold the stock in their own names: And provided, further, That the liability enforced in this provision shall not apply to any corporation whatever in this State in the charter of which a different liability shall have been or shall be imposed.

Liability of stockholders.

(B) That unless some other provision for the prevention and punishment of fraudulent representations as to the capital, property and resources of such corporations shall have been inserted therein, in which case the provision in reference thereto shall be only as is specified in such charter, that any Director or other officer, or stockholder, of the

Punishment for fraud or misrepresentation.

A. D. 1896.

said corporation who shall knowingly and willfully make or cause to be made any fraudulent misrepresentation or misrepresentations as to either the capital, property or resources of the said corporation shall be held guilty of a misdemeanor, and upon conviction thereof shall be punished by fine of not more than two thousand dollars (\$2,000) or imprisonment for not longer than two years, or both, at the discretion of the Court.

Power to purchase real estate

(C) That such corporations shall have power to purchase and hold such real estate as may be required for their purposes, or such as they may be obliged or may deem for their interest to take in the settlement of any debts due them, and they may dispose of the same; to sue and be sued in all Courts; to have and use a common seal; to elect, in such manner as they may determine to be proper, all necessary officers, and fix their duties; to make by-laws and regulations consistent with the Constitution and laws of this State for their own government and the due and orderly conduct of their affairs and the management of the property.

Stock to be personal estate.

(D) That the shares in the capital stock of such corporations shall be deemed personal estate, and the mode of issuing the evidence of stock, and the manner, terms and conditions of assigning and transferring shares, shall be prescribed by the by-laws of each corporation.

For what purposes stock cannot be used.

(E) That no part of the capital stock or any of the funds of such corporation shall, at any time during the continuance of their charter, be used or employed, directly or indirectly, in banking operations, or for any purpose whatsoever inconsistent with the provisions of their respective charters.

Treasurer to give bond.

Section 23. That the Treasurer of any corporation in this State shall give bond in such sum and with such sureties as shall be required by the by-laws for the faithful discharge of his duty.

Stockholders may vote by proxy. Other regulations.

Section 24. That at all meetings of any company, absent stockholders may vote by proxy, authorized in writing. Every company may determine by its by-laws what number of stockholders shall attend, either in person or by proxy, the form of such proxy, or what number of shares or amount of interest shall be represented at any meeting to constitute a quorum. If the quorum is not so determined, a majority in interest of the stockholders shall constitute a quorum.

Section 25. That the shares in any company shall be numbered, and every stockholder shall have a certificate, under the seal of the corporation, and signed by the Treasurer, certifying his property in such shares as are expressed in the certificate.

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Shares to be numbered and signed by the Treasurer.

Section 26. Every private corporation, as such, has power: 1. To have succession, by its corporate name, for the period limited in its charter; and when no period is limited, in perpetuity. 2. To sue and be sued. 3. To use a common seal, and to alter the same at pleasure. 4. To hold, purchase, lease, mortgage, or otherwise dispose of, and convey, such real and personal estate as is limited by its charter; and if not so limited, such an amount as the business of the corporation requires. 5. To appoint such subordinate officers and agents as the business of the corporation requires, prescribe their duties and fix their compensation. 6. To make by-laws, not inconsistent with any existing law, for the transfer of its stock, the management of its property or the regulation of its affairs. 7. To declare and create, by appropriate by-laws, a lien on the stock of any stockholder in such corporation, for such sum as the stockholder is or may be indebted to such corporation for his subscription to stock therein.

General powers of private corporations.

Section 27. When the corporate powers are directed to be exercised by any particular body or number of persons, a majority of such body or persons, unless it is otherwise provided, form a Board for the exercise of such powers.

Majority may act.

Section 28. If any private corporation hereafter created by the General Assembly, or incorporated under any law, does not organize and commence the transaction of its business within two years from the date of its incorporation, its corporate powers shall cease.

Private corporations must organize in two years.

Section 29. Unless otherwise specially provided in this Act, neither the capital stock nor bonded indebtedness of any private corporation organized in this State shall be increased except in the manner hereinafter prescribed.

Increase of capital stock and indebtedness.

Section 30. Before any such increase shall be authorized, the consent of the persons holding the larger amount in value of the stock of such corporation shall be obtained in favor thereof at a meeting of the stockholders of such corporation convened for the purpose of voting upon the proposition.

Increase, when made.

A. D. 1898.

Meetings of
stockholders for
said purpose,
how held.

Section 31. No meeting of stockholders for the purpose mentioned in the preceding Section shall be held until after thirty days' notice thereof has been given by publication in a newspaper of general circulation, published in the County where the corporation has its principal office; and if no such newspaper is published in the County, then in a newspaper having general circulation published in the County nearest the principal office of such corporation, a copy of which shall be mailed to each stockholder; and such notice shall explicitly state what increase it is proposed to make to the capital stock or bonded indebtedness of the corporation.

Increase, how
made.

Section 32. If at such meeting the consent of the persons holding the larger amount in value of the stock of such corporation shall be obtained to a specified increase of either the capital stock or bonded indebtedness, a report thereof specifying the amount of increase consented to shall be made to the Secretary of State, who shall make and keep a record thereof, and it shall be lawful for such corporation to increase its capital stock or bonded indebtedness in conformity with such consent of the stockholders, obtained as aforesaid. Such increase may be less, but shall not be more, than that stated in the published notice for such meeting.

Payments for
stock must be
bona fide.

Section 33. Neither stock nor bonds shall be issued by any private corporation except for money, labor done, or money or property actually received; and all fictitious increase of stock or indebtedness shall be void.

Certain Acts
and Sections re-
pealed.

Section 34. That the following Acts and Sections, and all Acts and parts of Acts amendatory thereof, be, and the same are hereby, repealed: 1. An Act to define the terms upon which manufacturing companies shall hereafter be incorporated, ratified December 17, 1847. 2. An Act to authorize and regulate the creation of private corporations within this State, approved December 20, 1886. 3. An Act to regulate the formation of corporations, approved December 10, 1869. 4. An Act to provide for granting of certain charters, approved February 20, 1874. 5. An Act to provide for and regulate the incorporation of manufacturing companies in this State, approved December 24, 1885. 6. Sections 1362 and 1364 to 1404 inclusive of the General Statutes of South Carolina, an Act to provide for and regulate the incorporation of building and loan associations in

this State, approved the 22d day of December, 1885: Provided, The provisions of this Act shall not affect the corporate existence of any corporation heretofore formed under any general or special law; but all such corporations shall be subject to all the provisions of this Act that are made applicable thereto.

A. D. 1896.

No. 46.

AN ACT Regulating Fraternal Beneficiary Societies, Orders and Associations in South Carolina. No. 41.

Section 1. Be it enacted by the General Assembly of the State of South Carolina, A fraternal beneficiary association is hereby declared to be a corporation, society or voluntary association formed or organized and carried on for the sole benefit of its members and their beneficiaries. Each association shall have a lodge system with ritualistic form of work and representative form of government, and may make provision for the payment of benefits in case of death, sickness, temporary or permanent, physical disability, either as the result of disease, accident or old age: Provided, The period of life at which payment of physical disability benefits on account of old age commences shall not be under seventy (70) years. Each association or order may also make provisions for withdrawal of those of its members unable or unwilling to continue these payments at any time after three years of membership: Provided, however, That such withdrawal benefits shall not exceed the amount contributed by such members. And it may also make provisions for the payments of final benefits at any time after ten years of membership, as may be provided by its constitution and laws. The fund from which the payment of such benefits shall be made, and the fund from which the expenses of any such association shall be defrayed, shall be derived from assessment dues or other payments collected from its members. Payment of death benefits shall be to the families, heirs, blood relatives, affianced or affianced wife of, or to persons dependent upon, the member. Such associations shall be governed by this Act, and shall be ex-

Fraternal
beneficiary so-
cieties, form of
government,
payment of
benefits, &c.

A. D. 1894.

empt from the provisions of the insurance laws of this State, and no law hereafter passed shall apply to them unless they be expressly designated therein. Any such society, order or association may create, maintain and disburse a reserve fund in accordance with its constitution or by-laws. Such reserve fund (if any) shall represent certain prescribed accumulations or percentages retained for the benefit of the members or their beneficiaries, and no part thereof shall be used for expenses.

Societies now organized in this State may continue.

Section 2. Any society, or order, or association of this or any other State, Province or Territory now operating in this State and having lodges, councils, or branches duly established or organized in this State may continue their business: Provided, That they hereafter comply with the provisions of this Act regulating annual reports and the designation of the Comptroller-General as the person upon whom process may be served as hereinafter provided.

How societies may be admitted to do business.

Section 3. Any association operating within the description as set forth in Section 1 of this Act organized under the laws of any other State, Province or Territory and not now doing business in this State shall be admitted to do business within this State when it shall have filed with the Comptroller-General a duly certified copy of its charter and articles of association and a copy of its constitution or laws, certified to by its Secretary or corresponding officer, together with an appointment of the Comptroller-General of this State as the person upon whom process may be served as hereinafter provided: And provided, That such association shall be shown by certificate to be authorized to do business in the State, Province or Territory in which it is incorporated or organized in case the laws of such State, Province or Territory shall provide for such authorization; and in case the laws of such State, Province or Territory do not provide for any formal authorization to do business on the part of any such association, then such association shall be shown to be conducting its business in accordance with the provisions of this Act, for which purpose the Comptroller-General of this State may, personally, or by some person to be designated by him, examine into the condition, affairs, character and business methods, accounts, books and investments of such association at its home office, which examination shall be at the expense of such association, and

shall be made within thirty days after demand therefor, and the expense of such examination shall be limited to \$50.00.

A. D. 1890.

Reports to be
filed with Comptroller General.

Section 4. Every such association doing business in this State shall, on or before the first day of March of each year, make and file with the Comptroller-General of this State a report of its affairs and operations during the year ending on the 31st day of December immediately preceding, which annual report shall be in lieu of all other reports required by any other law. Such reports shall be upon blank forms to be provided by the Comptroller-General, or may be printed in pamphlet form, and shall be verified under oath by the duly authorized officers of such association, and shall be published, or the substance thereof, in the annual report of the Comptroller-General, under a separate part entitled Fraternal Beneficiary Associations, and shall contain answers to seven questions as the Comptroller-General shall propound, as follows: Amount received for assessments, \$———. Rents, interests and dividends on stock and bonds, \$———. All other sources, viz., \$———. Total amount received during the year, \$———.

Form of report, and questions to be answered.

II. Expenditures during year: Benefits, losses, and claims paid, \$———. Sick benefits paid, \$———. Salaries and other compensation of officers and for clerical force, \$———. Paid for rent, \$———. Paid for office expenses, lodge supplies, organization of lodges or branches, of building up the same, printing, advertising and all other expenditures, \$———. Total amount of expenditures during year, \$———.

III. Assets: Bonds and stocks, \$———. Loans or mortgages, evidenced by notes and otherwise, \$———. Loans on other collateral and security, \$———. Real estate, \$———. Cash in bank, \$———. Securities deposited in the different States, if any, \$———. All other assets, viz., \$———. Total assets, \$———.

IV. Liabilities: Losses and claims due and unpaid, No. —, \$———. Losses and claims reported but not due, No. —, \$———. Salaries due and unpaid, \$———. Due for borrowed money, \$———. All liabilities, viz., \$———. Total liabilities, \$———.

V. Exhibit of membership: Membership and amount in force at the end of the year preceding for which this report is made, No. —, \$———. Give number of members and

A. D. 1896.

amount of certificates issued during the year, No. —, \$——. Total during year, No.—, \$——. Deduct members and amount of certificates retiring by withdrawal or suspension during the year, No. —, \$——. Deduct members who have died during the year, and face amount of certificates paid, No. —, \$——. Total members in good standing December 31, 189—, No.—, \$——.

How process
may be served
upon sub-asso-
ciations.

Section 5. Each sub-association now doing or hereafter admitted to do business within this State and not having its principal office within this State, and not being organized under the laws of this State, shall appoint in writing the Comptroller-General or his successors in office to be its true and lawful attorney, upon whom all lawful process in any action or proceeding against it may be served, and in such writing shall agree that any lawful process against it which is served on said attorney shall be of the same legal force and validity as if served upon the association, and that the authority shall continue in force so long as any liability remains outstanding in this State. Copies of such certificate, certified by said Comptroller-General, shall be deemed sufficient evidence thereof, and shall be admitted in evidence with the same force and effect as the original thereof might be admitted. Service upon such attorney shall be deemed sufficient service upon such association. When legal process against any such association is served upon said Comptroller-General he shall immediately notify the association of such service by letter, prepaid and directed to its Secretary or corresponding officer, and he shall within two days after such service forward in the same manner a copy of the process on him to said officer. The plaintiff in such process so served shall pay to the Comptroller-General at the time of such service a fee of \$2, which shall be recovered by him as a part of the taxable cost if he prevails in the suit. The Comptroller-General shall keep a record of all processes served upon him, which record shall show the day and hour when such service was made and by whom made.

Permits to do
business.

Section 6. The Comptroller-General of this State shall, upon the application of any association having the right to do business within this State, as provided by this Act, issue to such association a permit in writing authorizing such association to do business within this State, for which cer-

tificate and all proceedings in connection therewith such association shall pay to said Comptroller-General a fee of \$25.00, to be paid into the State Treasury. This fee shall be paid annually thereafter when report is filed.

A. D. 1886.

Section 7. Seven or more persons, citizens of the United States, and a majority of whom are citizens of this State, who may desire to form a fraternal beneficiary association as defined by this Act may make, sign seal and acknowledge, before some officer competent to take the acknowledgment of deeds, a certificate in writing in which shall be stated: (A). The names and places of residence of applicants. (B). Proposed corporate name of the association, which shall not too closely resemble the name of any other similar organization. (C). The object or purpose for which the incorporation is sought, which shall not include more liberal powers than are granted by this Act. (D). The location of the principal office of the corporation. (E). Number of Trustees, Directors or similar officers and their names and residences, who shall manage the concerns of the corporation for the first year or until the ensuing annual meeting. Meeting for the election of Managers or Trustees shall be held annually, and as far as possible during the month of January of each year, according to the regulations of the constitution and laws of the association. When the said certificate has been duly signed and acknowledged by the incorporators thereof, it shall be submitted to the Attorney-General for his approval in conformity with this Act, and after the said approval shall have been endorsed thereon it shall be duly recorded in the County in which the home office of the corporation is located, and a certified copy thereof immediately forwarded to the Secretary of State with a certified list of the officers in charge of the association with their residences and the location of the home office. In addition to this, proof satisfactory to the said Secretary of State shall be furnished two of the officers of the said association that at least 100 subscribers for certificates of membership have been secured in said association, and that there has been deposited to the credit of said association for the payment of death and other claims, and which amount cannot be used for expenses, the sum of \$5,000, which sum if advanced by the Trustees, officers or Directors may be repaid to them from time to time from the proceeds of an expense fund to be created for this purpose.

How such associations may be formed.

A. D. 1896.

Associations of this State of similar character to those defined by this Act may by resolution of their present Board of Managers or Trustees incorporate under this Act as herein provided, and the corporate existence of which shall then and there continue as if said association had been originally incorporated under the same.

Benefits not
liable to attach-
ment or levy.

Section 8. The money or other benefit, charity, relief or aid to be paid, provided or rendered by any association authorized to do business under this Act shall not be liable to attachment by trustee, garnishee or other process, and shall not be seized, taken, appropriated or applied by any legal or equitable process, or by operation of law, to pay any debt or liability of a certificate holder, or of any beneficiary named in a certificate, or any person who may have any right thereunder.

How the bus-
iness of such as-
sociations may
be transacted.

Section 9. Any such association organized under the laws of this State may provide for the meetings of its legislative or governing body in any other State, Province or Territory, wherein such association shall have subordinate bodies, and all business transacted at such meetings shall be valid in all respects as if such meetings were held within this State; and where the laws of any association provide for the election of its officers by votes to be cast in its subordinate bodies, the vote so cast in its subordinate bodies in any other State, Province or Territory shall be valid as if cast within this State.

Penalties for
fraudulent
statements by
officer, agent,
&c.

Section 10. Any person, officer, member or examining physician who shall knowingly or willfully make any false or fraudulent statement or representation in or with reference to any application for membership, or for the purpose of obtaining any money or benefit in any association transacting business under this Act, shall be guilty of a misdemeanor, and upon conviction shall be punished by a fine of not less than \$100 nor more than \$500, or imprisonment in the County jail for not less than thirty days nor more than one year, or both, in the discretion of the Court; and any person who shall willfully make a false statement of any material fact or thing in a sworn statement as to the death or disability of a certificate holder in any such association for the purpose of procuring payment of a benefit named in the certificate of such holder, and any person who shall willfully make any false statement in any verified report

of declaration under oath required or authorized by this Act, shall be guilty of perjury, and shall be proceeded against and punished as provided by the Statutes of this State in relation to the crime of perjury.

A. D. 1896.

Section 11. Any such association refusing or neglecting to make the report as provided in this Act shall be excluded from doing business within this State. Said Comptroller-General must within sixty days after failure to make such report, or in case any such association shall exceed its powers, or shall conduct its business fraudulently, or shall fail to comply with any of the provisions of this Act, give notice in writing to the Attorney-General, who shall immediately commence an action against such association to enjoin the same from issuing any new business. And no injunction against any such association shall be granted by any Court except on application by the Attorney-General at the request of the Comptroller-General. No association so enjoined shall have authority to continue to do the business of soliciting new members until such report shall be made, or overt act or violations complained of shall have been corrected, nor until the cost of such action be paid by it, provided the Court shall find that such association was in default as charged, whereupon the Comptroller-General shall reinstate such association. Officer, agent or person acting for any association or subordinate body thereof within this State while such association shall be so enjoined or prohibited from doing business pursuant to this Act shall be deemed guilty of a misdemeanor, and on conviction thereof shall be punished by a fine not less than \$25.00 nor more than \$100.00.

Penalty for not making report to Comptroller General.

Section 12. Any person who shall act within this State as an officer, agent, or otherwise, for any association which shall have failed, neglected to procure from the Comptroller-General a proper certificate of authority to transact business as provided for by this Act shall be subject to the penalty provided in the last preceding Section for the misdemeanor therein specified.

Penalty for doing business without permit.

Section 13. All laws or parts of laws in conflict with or inconsistent with this Act are, and the same are hereby, repealed, and nothing in this Act shall be held to affect or apply to grand or subordinate lodges of Masons, Knights of Pythias, Odd Fellows and Knights of Honor or similar

Repealing clause, and exceptions.

A. D. 1896.

orders that do not have as their principal object the issuance of insurance certificates of membership. Nor shall anything herein contained apply to lodges or orders of a purely religious, charitable or benevolent description, paying exclusively sick, funeral or death benefits to members, their families or dependents, and not operating with a view to profit, nor any such organization be required to make any report under this or any other Section of the insurance laws: And provided, further, That no society, lodge or body of any secret or fraternal society, or association of employees of any particular trade, firm or corporation paying only sick benefits not exceeding \$250.00 in the aggregate to any one person in any one year, or a funeral benefit to those dependent on a member not exceeding (\$350.00) three hundred and fifty dollars, shall be required to make any report thereof under this Article, or under any other Article of the insurance laws.

Section 14. This Act shall take effect immediately.

Approved the twenty-fifth day of February, A. D. 1896.

No. 47.

No. 111. AN ACT to Provide for the Formation of Mutual Protection Associations.

Section 1. Be it enacted by the General Assembly of the State of South Carolina, Any number of persons of lawful age, residents of this State, not less than ten in number, may associate themselves together for the purpose of insuring each other against loss by fire and lightning, cyclones, tornadoes, or wind storms; and may make, assess and collect, upon and from each other, such sums of money, from time to time, as may be necessary to pay losses which occur by fire and lightning, cyclones, tornadoes or wind storms, to any member of such association, and the assessment and collection of such sums of money shall be regulated by the constitution and by-laws of the association.

Mutual protection associations may be formed.

How.

Section 2. Such persons shall make and subscribe a certificate setting forth therein:

First. The name by which the association shall be known.

A. D. 1896.


Second. The place which shall be regarded as its centre or business office.

Third. The object of the association, which shall only be to enable its members to insure each other against loss by fire and lightning, cyclone, tornadoes or wind storms, and other casualties, and to enforce any contract which may be by them entered into by which those entering therein shall agree to be assessed specifically for incidental purposes and for the payment of losses which occur to its members.

Section 3. The certificate shall be filed in the office of the Secretary of State upon the production of a receipt from the State Treasurer for ten dollars, certificate fee, and the payment of the usual costs for recording the papers, and a copy thereof duly certified by the Secretary of State shall be evidence of the existence and due incorporation of the association for the purposes therein named.

Section 4. When such certificate is so filed, and a copy thereof so certified forwarded to the association, the persons named therein shall elect their Directors and a President, Secretary and Treasurer, and such other officers as may be necessary for the complete performance of all the business and objects of the association herein provided, to serve for one year, and such officers shall thereafter be chosen in such manner and at such time as shall be fixed upon in the constitution; but Directors shall not be chosen for a longer period than three years, and such association so organized shall be known and held to be a body corporate for all the purposes aforesaid, and may sue and be sued, and plead and be impleaded, in all Courts of law and equity, but in no instance shall the power to insure against losses by fire or tornadoes be exercised to other than members of the association.

Section 5. All buildings insured by any mutual company shall be pledged to such company, together with the right and title of the assured in the lands upon which they are situate, to the amount of the premium note or contingent liability, and the company shall have a lien thereon to the amount of such note or liability, but the lien of the company shall not take effect as against third parties without notice until the company files with the Register of Mesne Conveyance or Clerk of the Court of the County in which the property insured is situate a certificate, stating the date,

Liability of
buildings in-
sured for pre-
mium.

A. D. 1896.

number and amount of premium note or contingent liability, and such a description of the property insured as will enable any person readily to identify the same. The recorder shall record and index the certificate in his book of mortgage liens, for which he shall receive the sum of twenty-five cents; and all liens heretofore acquired by any such company shall continue in force under this Chapter.

Approved the ninth day of March, A. D. 1896.

No. 48.

No. 189. AN ACT to Provide for the Examination of the Banking Corporations of the State.

Banking corporations subject to examination.

Section 1. Be it enacted by the General Assembly of the State of South Carolina, Every banking and fiscal corporation heretofore or hereafter created under the laws of this State shall be subject to examination as hereinafter provided.

State Bank Examiner.

Section 2. That the office of State Bank Examiner is hereby created, and the Advisory Board, hereinafter provided for, shall appoint a competent person, who shall be an expert bookkeeper, to this office, to be commissioned by the Governor. The State Bank Examiner shall enter upon the duties of his office on the first day of July, 1896, and hold the said office for two years unless sooner removed by the Advisory Board, which Board shall fill any vacancy by an appointment for the unexpired term. The office of the State Bank Examiner shall be at the seat of government.

Advisory Board.

Section 3. There shall be an Advisory Board consisting of the Governor of the State, who shall be President of the Board, the Comptroller-General, Secretary of State, the State Treasurer and the Attorney-General.

Duty of State Bank Examiners.

Section 4. It shall be the duty of the State Bank Examiner to examine fully and carefully at least once a year, and oftener if his time permits, into the books, papers and affairs of any banking or fiscal corporation of this State and report to the State Treasurer on oath the result of such examination or examinations, in which report there shall be set forth specifically all violations, if any, of the banking

law of this State by the corporation or corporations examined. Such report shall be filed in the State Treasurer's office for inspection of all persons interested. It shall be the duty of the State Bank Examiner upon the discovery by him of any violation of the banking laws of the State to which any penalty is attached to report the same to the Attorney-General with instructions to enforce such penalty by the proper proceedings.

A. D. 1896.

Section 5. The State Bank Examiner shall take the oath prescribed in the Constitution and file the same with the State Treasurer.

Oath of.

Section 6. Any officer of such corporation or any employee thereof who shall obstruct an Examiner in the discharge of his duties shall on conviction be deemed guilty of a misdemeanor, and any person convicted of willfully swearing falsely on any such examination shall be deemed guilty of perjury.

Obstruction of a misdemeanor.

Section 7. The State Bank Examiner, before entering upon his duties, shall give bond in the sum of ten thousand dollars for the faithful discharge of his duties, with sufficient sureties, to be approved by the Advisory Board hereinbefore provided for. He shall also act as Notary Public, and shall receive in full compensation for all services, both as Examiner and Notary Public, an annual salary of fifteen hundred dollars, exclusive of his actual railroad fare while attending to the duties of his office, which fare shall be paid by the State Treasurer upon the warrant of the Advisory Board.

To give bond.

Salary.

Section 8. The salary of the State Bank Examiner and the expenses attached to his office shall be paid by a special levy on the capital of the banking or fiscal corporations of this State, the said levy to be fixed by the Advisory Board hereinbefore provided for.

Salary to be paid by banks.

Approved the ninth day of March, A. D. 1896.

No. 49.

AN ACT to Regulate the Issue of Policies by Fire Insurance Companies and Associations.

No. 54.

Section 1. Be it enacted by the General Assembly of the State of South Carolina, That hereafter no Fire Insurance

A. D. 1896.

Fire insurance
companies not
to issue policies
for more than
value of prop-
erty insured.

Company, or individuals writing Fire Insurance policies, doing business in this State shall issue policies for more than the value to be stated in the policy amount of the value of the property to be insured, the amount of insurance to be fixed by insurer and insured at or before the time of issuing said policies, and in case of total loss by fire the insured shall be entitled to recover the full amount of insurance and a proportionate amount in case of partial loss: Provided, Two or more policies written upon the same property shall be deemed and held contributive insurance; and if the aggregate sum of all such insurance exceed the insurable value of the property as agreed by the insurer and the insured, in the event of a total or partial loss, each company shall be liable for its pro rata share of said insurance.

Statement in
application;
effect of.

Section 2. That no statement in the application for insurance shall be held to prevent a recovery before a jury on said policy in case of partial or total loss: Provided, After the expiration of sixty days the insurer shall be estopped to deny the truth of the statement in the application for insurance which was adopted except for fraud in making their application for insurance.

Section 3. Nothing in this Act shall be held to apply to insurance on chattel or personal property.

Approved the twenty-eighth day of February, A. D. 1896.

No. 50.

No. 174. AN ACT to Provide the Manner in Which Railroad Companies Incorporated Under the Laws of Other States or Countries May Become Incorporated in This State.

How railroad
companies may
do business in
this State.

Section 1. Be it enacted by the General Assembly of the State of South Carolina, That each and every railroad company or railroad corporation created or organized under or by virtue of any government other than that of this State desiring to own property or carry on business, or exercise any corporate franchise in this State of any kind whatsoever, shall first file in the office of the Secretary of State a copy of its charter, paying therefor such fees as may be required by law, and cause a copy of such charter to be re-

corded in the office of the Register of Mesne Conveyance or Clerk of Court of Common Pleas in each County in which such company or corporation desires or proposes to carry on its business or to acquire or own property. Such copy of the charter shall be authenticated in the manner directed by law for the authentication of the Statutes of the State or country under whose laws such corporation is chartered or organized.

A. D. 1896.

Section 2. That if any such charter or any part thereof, filed as aforesaid in the office of the Secretary of State, shall be in contravention or violation of the laws of this State, such charter or such parts thereof so in conflict with the laws of this State shall be null and void.

Charters of.

Section 3. That when a foreign corporation complies with the provisions and requirements of this Act it shall ipso facto become a domestic corporation and shall enjoy the rights and be subject to the liabilities of such domestic corporation; it may sue and be sued in the Courts of this State, and shall be subject to the jurisdiction of this State as fully as if it were originally created under the laws of the State of South Carolina.

Compliance with this Act makes a domestic corporation.

Section 4. That it shall be unlawful for any such foreign corporation to do business, or attempt to do business, in this State without first having complied with the requirements of this Act, and any violation of this Act shall be punished by the forfeiture to the State by the party offending of a penalty of five hundred dollars, to be recovered by suit in the Court of Common Pleas for any County in which such offender does or attempts to do business, or in any other Court of competent jurisdiction.

Foreign companies must comply.

Approved the ninth day of March, A. D. 1896.

No. 51.

AN ACT to Regulate the Schedules of Passenger Trains in Certain Cases. No. 152.

Section 1. Be it enacted by the General Assembly of the State of South Carolina, It shall be the duty of the Railroad Commissioners, within thirty days after the passage

A. D. 1896.
Schedules to
be regulated.

of this Act, and from time to time, to examine into the schedules of all the railroads in this State for the carriage of persons or passengers, with a view to ascertain if said roads can reasonably make close connection with intersecting roads; and whenever in their opinion such close connection can be made, without injustice or material injury to such road or roads, they shall make the appropriate orders to effect the same.

Powers of
Railroad Com-
missioners.

Section 2. For the foregoing purposes, said Commissioners shall have power to summon witnesses and take testimony, and any road shall have the right of appeal, as in other cases of appeal from inferior Courts.

Forfeiture for
refusal to com-
ply.

Section 3. Any railroad in this State refusing to obey any order of the Railroad Commissioners made under this Act shall forfeit the sum of five hundred dollars, to be recovered by the suit of said Commissioners in a suit in the Court of Common Pleas, which sum if recovered shall go to the general fund of this State.

Approved the ninth day of March, A. D. 1896.

No. 52.

No. 82. AN ACT to Fix the Rates for the Transportation of Passengers by Railroad Companies in This State.

Rates of fare.

Section 1. Be it enacted by the General Assembly of the State of South Carolina, That from and after the passage of this Act the rates for the transportation of passengers by railroad companies chartered and doing business in this State shall be for first class fare three and one-fourth (3 1-4) cents per mile for every mile traveled, and for second class fare two and three-fourth (2 3-4) cents per mile for every mile traveled, and shall sell first and second class tickets: Provided, This rate may from time to time be altered and changed by the Railroad Commission as to any railroad or railroads as in the judgment of said Railroad Commission the circumstances of such railroad or railroads may warrant or require.

Section 2. Any railroad company charging higher rates for passenger transportation than those herein fixed or such as may be hereafter fixed by the Railroad Commission shall suffer all the penalties provided by law.

A. D. 1896.

Penalties for charging higher rates.

Section 3. Nothing herein contained shall prevent any railroad company from selling excursion tickets and mileage tickets of not less than one thousand miles for lower rates than those herein fixed.

Exceptions.

Section 4. All Acts or parts of Acts inconsistent with this Act are hereby repealed.

Approved the ninth day of March, A. D. 1896.

No. 53.

AN ACT to Declare the Law Relative to the Interchange of Freight Between Common Carriers in This State. No. 138.

Section 1. Be it enacted by the General Assembly of the State of South Carolina, It shall be unlawful for any railroad chartered or operated in this State to refuse to pay any carrier on traffic delivered at any of the terminal or junction points such freight charges as may have accrued from original point of shipment to the terminal or junction points, wherever delivery may be made, and to which at current rates the carrier making such delivery and previous carriers interested may be justly entitled to whenever the same may be collected by the road making the delivery to consignee: Provided, That the total amount freight charges does not exceed any amount equal to one-half the market value of the property involved: And also provided, That this does not apply on property which, from its nature, is classed as "prepaid freight," or which may be destined for points designated and conducted as prepaid stations, of which due public notice has been given: Provided, further, That such carrier shall afford to such railroad company or companies making the delivery to the consignee the same advantages and facilities, in the handling and interchange of business, that it afford any other railroad at the same point.

Railroads to interchange freights.

A. D. 1896.

Facilities for
interchange to
be furnished.

Section 2. Railroads subject to this Act shall afford all reasonable, proper and equal facilities for the interchange of traffic between its own road and other carriers, whether at terminal or junction points, for the receiving, forwarding and delivering of freight and passengers to and from points on its line or lines beyond, and shall not discriminate in its rates or charges between or against any such connecting carriers.

Approved the ninth day of March, A. D. 1896.

No. 54.

No. 194. AN ACT to Require Connecting Railroads in This State Belonging to or Controlled by the Same Party to Operate Freight and Passenger Tariffs as One and the Same Road.

Connecting
roads to operate
as one, when
operated by
same company.

Section 1. Be it enacted by the General Assembly of the State of South Carolina, That all connecting railroads doing business in this State, and under the management or control, by lease, ownership, association or otherwise, of one and the same person, firm, corporation or association, shall for purposes of transportation, in applying freight and passenger tariffs, be considered as constituting but one and the same road, and the rates shall be computed as upon parts of one and the same road unless otherwise specified by the Railroad Commission.

Approved the ninth day of March, A. D. 1896.

No. 55.

No. 109. AN ACT to Amend Section 1436 of the General Statutes of 1882, Being Section 1605 of the Revised Statutes of 1893, Relating to Railroad Mortgages.

Section 1. Be it enacted by the General Assembly of the State of South Carolina, That Section 1436 of the General Statutes of 1882, being Section 1605 of the Revised Statutes of 1893, relating to railroad mortgages, be, and the same is hereby, amended by adding the following proviso at the

end of said Section: Provided, That nothing in this Section contained shall apply to a mortgage for the purchase money of any such road equipment, franchise or property, real or personal. So that said Section when so amended shall read as follows:

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Section 1605. (1436.) No railroad corporation which has previously issued bonds shall subsequently make or execute any mortgage upon its road equipment and franchise or any of its property, real or personal, without including in and securing by such mortgage all bonds previously issued and all pre-existing debts and liabilities of the corporation: Provided, That nothing in this Section contained shall apply to a mortgage for the purchase money of any such road equipment, franchise or property, real or personal.

Railroad mortgages, what to contain.

Approved the ninth day of March, A. D. 1896.

No. 56.

AN ACT to Regulate the Movements of Cars, Trains and Traffic Between Lines Connecting Within This State, and to Prevent Any Discrimination in the Rates Charged or Facilities Offered Such Connecting Lines, and to Prevent All Discrimination, and to Require Equal Facilities and Advantages to All Railroad Companies Within or Without the State with Which They Directly or Indirectly Connect, and to Provide for the Issuance and Recognition of Through Bills of Lading by All Railroads Doing Business in This State, to Prevent the Diversion of Freight, to Prevent the Violation of This Act by Any Railroad in This State, to Constitute the Same a Misdemeanor and to Provide Punishment Therefor.

No. 80.

Section 1. Be it enacted by the General Assembly of the State of South Carolina, That from and after the passage of this Act all railroad corporations organized or doing business in this State under the Act of Corporation or General Law of this State now of force or which may hereafter be enacted, and all railroad corporations organized or which may be hereafter organized under the laws of any other State and doing business in this State, shall be compelled to receive, deliver to and handle at each of their junctions or terminal points in this State all cars or trains of a connecting line bound to or from any point upon its own line or beyond, upon the same terms and same charges, either by way of trackage or by way of its proportion of the entire

Railroads to receive cars from connecting lines.

A. D. 1896.

rate charged upon said cars, trains or freight, that it charges or demands either under the law or by contract or agreement with any other railroads connecting with it at said junction or terminal point where it performs the same or similar service for each of said railroads, and shall furnish the same facilities to each of said railroads.

Must recognize through bills of lading when.

Section 2. That no railroad doing business in this State shall be allowed to refuse to issue or recognize a through bill of lading between competitive points when issued over or by one railroad with which it connects unless it issues and recognizes the same where goods are shipped to or from said points over any other competitive railroad with which it connects reaching said point, and that the said railroad shall not charge nor receive for said goods passing over its lines, either by law of local freight, or a division of a through freight rate, a greater sum when said goods are shipped by or over one line of railroad with which it connects than it would charge or receive when said goods are shipped by or over any other line of railroad with which it connects: Provided, however, That nothing herein contained shall prevent any such railroad from demanding payment of its charges in advance of performing said service of carrying said goods, or from limiting its liability to losses or damage to said freight upon its own line by a clause inserted in said bill of lading.

Facilities for receiving and forwarding freight to be furnished.

Section 3. That every railroad company doing business in this State working railways which form part of a continuous line of railway communication shall afford all due and reasonable facilities for receiving and forwarding by one of such railways all the traffic, freight or passengers arriving by the other, without any unreasonable delay and without any preference or advantage, or prejudice or disadvantage, and so that no obstruction may be offered to the public desirous of using such railways as continuous line of communication, and so that all reasonable accommodation may, by means of the railways of the several companies, be at all times afforded to the public in that behalf.

To other railroads.

Section 4. That the above mentioned facilities and benefits shall be afforded as well to other railroads as to the public.

Section 5. That all persons shipping from, into, within or or through this State shall have the right to designate the

route or routes by which said goods shall be shipped, and that it shall be unlawful for any corporation or person other than the holder of the bill of lading to vary said routing so designated, or to ship the same by any other route, or to receive said goods if so diverted, unless the route so designated shall be interrupted or incapable of being used at the time by strike or casualty, preventing the running of trains thereof.

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Shipper to
have the right
to designate
route.

Section 6. That any transportation company violating the provisions of any of the Sections of this Act willfully or knowingly shall be subject to a suit for each violation thereof at the instance of any person or owner of goods, or other persons or corporations, and upon proof of such violation the said party instituting the same shall be entitled to recover a penalty of five hundred dollars for such violation. Each violation of this Act shall constitute a separate cause of action.

Penalty for
violations.

Section 7. That any person who shall willfully violate or aid in violating, or direct or order any one to violate, this Act shall be guilty of a misdemeanor, and upon conviction shall be punished by a fine not less than fifty dollars nor more than five hundred dollars, or by imprisonment not less than three months nor more than twelve months, or both, in the discretion of the Court.

Violations a
misdemeanor.

Section 8. That all laws and parts of laws in conflict with this Act shall be, and the same are hereby, repealed.

Approved the ninth day of March, A. D. 1896.

No. 57.

AN ACT Requiring Certified Copies of Pardons to be Filed with the Clerks of the Circuit Courts of This State.

No. 59.

Section 1. Be it enacted by the General Assembly of the State of South Carolina, That it shall be the duty of the Secretary of State immediately upon the granting to any person of any pardon by the Governor to transmit a certified copy of such pardon to the Clerk of the Circuit Court of the County in which such person was convicted, said certified copy of such pardon to be filed by such Clerk in his office.

Certified copies
of pardons to be
filed with Clerk
of Court.

A. D. 1896.

Clerk to keep
a record book
of pardons.

Section 2. That it shall be the duty of such Clerk to keep a record book of such pardons, said books to contain the names of the persons pardoned, arranged alphabetically, the offenses for which they were convicted, the date of conviction and the date of pardon.

Approved the twenty-eighth day of February, A. D. 1896.

No. 58.

No. 36. AN ACT to Abolish the Office of Register of Mesne Conveyances and to Devolve the Duties Thereof upon the Clerk of Court except in the Counties of Charleston and Greenville.

Office of Reg-
ister of Mesne
Conveyance
abolished.

Section 1. Be it enacted by the General Assembly of the State of South Carolina, That the office of Register of Mesne Conveyances in all the Counties of this State except the Counties of Charleston and Greenville be, and the same is hereby, abolished, and that all the duties, powers and emoluments of said Register of Mesne Conveyances be, and the same are hereby, devolved upon and transferred to the Clerk of the Court of Common Pleas and General Sessions.

Section 2. That this Act shall take effect from the date of its approval.

Approved the twenty-fifth day of February, A. D. 1896.

No. 59.

No. 48. AN ACT to Require all Persons Now Holding Any School Claims Against Any of the Several Counties of This State Which Have Been Unpaid to Establish and Prove Them Before Certain Officers and to Require the County Treasurer to Pay Same.

Past due
school claims,
how proven.

Section 1. Be it enacted by the General Assembly of the State of South Carolina, That all persons now holding any school claims against any County of this State which are unpaid are hereby permitted and allowed to prove and establish the same before the School Commissioner, the County Treasurer and County Auditor of said County.

Section 2. That if the said claims are approved by said School Commissioner, Auditor and Treasurer against the school district for which they were issued, the County Treasurer of said County is hereby authorized and directed to pay any of said claims so approved out of the first money coming in his hands as Treasurer belonging to the school district against which said claim or claims are established.

A. D. 1896.
How paid.

Approved the twenty-fifth day of February, A. D. 1896.

No. 60.

AN ACT to Regulate the Appointment of Subordinate Officers in the Several Departments of The State. No. 38.

Section 1. Be it enacted by the General Assembly of the State of South Carolina, That from and after the first day of January, 1897, it shall be unlawful for any person at the head of any department of this government to appoint to any office or position of trust or emolument under his control or management any person related or connected with him by consanguinity or affinity within the sixth degree. Nepotism prohibited.

Approved the twenty-fifth day of February, A. D. 1896.

No. 61.

AN ACT to Provide for the Election of the State Board of Control and to Further Regulate the Sale, Use, Consumption, Transportation and Disposition of Intoxicating and Alcoholic Liquors or Liquids in the State and Prescribe Further Penalties for Violation of the Dispensary Laws and to Police the the Same. No. 115.

Section 1. Be it enacted by the General Assembly of the State of South Carolina, That the manufacture, sale, barter or exchange, receipt or acceptance, for unlawful use, delivery, storing, and keeping in possession, within this State, of any spirituous, malt, vinous, fermented, brewed (whether lager or rice beer), or other liquor, any compound or mixture thereof, by whatever name called or known, which contains alcohol and is used as a beverage, by any person, firm The manufacture, sale or keeping of spirituous liquors prohibited, except as provided herein.

A. D. 1866.

or corporation; the transportation, removal, the taking from the depot or other place by consignee or other person, or the payment of freight or express or other charges by any person, firm, association or corporation upon any spirituous, malt, vinous, fermented, brewed (whether lager, rice or other beer) or other liquor, or any compound or mixture thereof, by whatever name called or known, which contains alcohol and is used as a beverage, except as is hereinafter provided, is hereby prohibited under a penalty of not less than three (3) nor more than twelve (12) months at hard labor in the State Penitentiary or pay a fine of not less than one hundred dollars nor more than five hundred dollars, or both fine and imprisonment, in the discretion of the Court, for each offense. All such liquors, except when bought of a State officer authorized to sell the same, or in possession of one and having been duly tested by the Chemist of the South Carolina College and found to be chemically pure, are declared to be contraband and against the morals, good health and safety of the State, and all alcoholic liquors in this State and not having been tested by the Chemist of the South Carolina College and found to be chemically pure are hereby declared to be of a poisonous and detrimental character, and their use and consumption as a beverage are against the morals, good health and safety of the State, and all such liquors may be seized wherever found, without a warrant, and turned over to the State Commissioner.

State Board of
Control.

Section 2. A Board consisting of five members, to be known as the State Board of Control, shall be elected by the General Assembly at this session to carry out the provisions of this Act. The terms of office of the Board so elected shall be for one, two, three, four and five years respectively, and those elected shall determine by lot which shall take the respective terms. At the expiration of the term of office of each member his successor shall be elected for a term of five years. They shall receive for their services the same per diem and mileage as members of the General Assembly. The State Board of Control shall devise and inaugurate such a system of bookkeeping and accounting as they may deem advisable, and shall elect a clerk or bookkeeper, who shall hold his office during the pleasure of the Board and shall receive as compensation for his services a salary of fifteen hundred dollars per annum. The

State Board of Control, under such rules and regulations as may be adopted by said Board, shall purchase all liquors for lawful use in this State, and shall have the same tested and declared to be pure as hereinbefore and hereinafter provided.

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Section 3. That the State Board of Control shall, at the expiration of the term of the present Commissioner, and at the expiration of every two years thereafter, appoint a Commissioner, which appointment shall be submitted to the Senate at its next session for its approval; said Commissioner shall be believed by the State Board of Control to be an abstainer from intoxicants, and shall, under such rules and regulations as may be made by the State Board of Control, furnish all intoxicating liquors for lawful use in this State, to such persons as may be designated as Dispensers thereof, to be sold as hereafter prescribed in this Act. Said Commissioner shall reside, and have his place of business, in the city of Columbia, in this State, and hold his office two years from his appointment and until another be appointed in his stead. He shall be subject to removal for cause by the State Board of Control. He shall qualify and be commissioned the same as other State officers, and shall receive an annual salary of twenty-five hundred dollars, payable from the Dispensary fund upon the warrant of the State Board of Control. He shall be allowed a bookkeeper, who shall be paid in the same manner a salary of twelve hundred dollars, and such other assistants as in the opinion of the Board of Control may be deemed necessary. He shall not furnish to the County Dispensers any intoxicating or fermented liquors except such as have been tested by the Chemist of the South Carolina College and declared to be pure: Provided, That said Board of Control shall have authority to appoint such assistants as they may find necessary to assist the Chemist of the South Carolina College in making the analyses required by this Act; and the said Board of Control may fix such reasonable compensation, if any, as they may deem proper for the services rendered by such Chemist or such assistants. Each County Dispenser shall remit to the State Treasurer all moneys accruing to the State from the sale of liquors under such rules as may be prescribed by the State Board of Control, and the State Treasurer shall keep a separate account with said fund,

Election of
Commissioner;
his duties, term
of office, &c.

County Dis-
pensers to re-
mit to State
Treasurer.

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Bond of.

Packages shipped to have on them certificate.

What said certificates shall contain.

from which the State Board of Control shall draw from time to time upon warrants, or in such manner as they may provide, the amount necessary to pay the expenses incurred in conducting the business. All rules and regulations governing the said Commissioner or County Dispensers in the performance of any of the duties of his office, where the same are not provided for by law, shall be prescribed by the State Board of Control. The State Commissioner shall before entering upon the duties of his office execute a bond to the State Treasurer, with sufficient sureties, to be approved in the same manner as the bonds of other State officers, in the penal sum of ten thousand dollars, for the faithful performance of the duties of his office. In all purchases or sales of intoxicating liquors made as contemplated in this Act, the State Board of Control shall cause a certificate to be attached to each and every package containing said liquors when the same is shipped to State Commissioner from the place of purchase, or by State Commissioner to the County Dispensaries, certified by their official signatures and seal, which certificate shall state that liquors contained in said packages have been purchased by the State Board of Control for use within the State of South Carolina, under the laws of said State, and shall also cause to be attached to all such liquors the certificate of the Chemist of the South Carolina College that samples of the same have been tested as required by this Act; and without such certificates any package containing liquors which shall be shipped from place to place within the State, or delivered to the consignee by any railroad, express company or other common carriers, or be found in the possession of any common carrier, shall be regarded as contraband and may be seized without warrant for confiscation, and such common carrier shall be liable to a penalty of five hundred dollars for each offense, to be recovered against said common carrier in any Court of competent jurisdiction by summons and complaint, proceedings to be instituted by the Solicitor of any Circuit with whom evidence may be lodged by any officer or citizen having knowledge or information of the violation; and any person attaching or using such certificates without the authority of the State Board of Control, or any counterfeit certificate, for the purpose of securing the transportation of any intoxicating liquors within this

State, in violation of law, shall, upon conviction thereof, be punished by a fine of not less than five hundred dollars and imprisonment in the Penitentiary for not less than one year for each offense.

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Section 4. The State Commissioner shall before shipping any liquors to Dispensers, except lager beer, cause the same to be put into packages of not less than one-half pint nor more than five gallons, and securely seal the same, and it shall be unlawful for the Dispenser to break any of such packages or open the same for any reason whatsoever. He shall sell by the package only, and no person shall open the same on the premises: Provided, This Section shall not apply to malt liquors shipped in cases or kegs or bottles thereof shipped in barrels; and such malt liquors may be sold by the County Dispenser in such quantities, of not less than one pint, as he may see proper: Provided, The same shall not be drunk on the premises. Dispensers shall open their places of business and sell only in the day time, under such rules as may be made by the State Board of Control, or by the County Board of Control with approval of the State Board of Control.

How liquors must be shipped and sold.

Section 5. It shall be the duty of the State Board of Control to appoint a County Board of Control composed of three persons believed by the said Board not to be addicted to the use of intoxicating liquors. The persons so appointed shall hold their office for a term of two years, and until their successors are appointed, and shall be subject to removal for cause by the State Board of Control. Said County Board of Control shall make such rules as will be conducive to the best management of the sale of intoxicating liquors in their respective Counties: Provided, All such rules shall be submitted to the State Board and approved by them before adoption. The members of the County Board of Control shall qualify and be commissioned as are other County officers without fees therefor.

County Board of Control.

Section 6. Applications for positions of County Dispenser shall be by petition, signed and sworn to by the applicant, and filed with the County Board of Control at least twenty days before the meeting at which the application is to be considered, which petition shall state the applicant's name, place of residence, in what business engaged, and in what business he has been engaged two years previous to filing

County Dispensers, how appointed.

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petition; that he is a qualified elector of this State and a resident of the County; that he has never been adjudged guilty of violating the law relating to intoxicating liquors, and is not a keeper of a restaurant or place of public amusement, and that he is not addicted to the use of intoxicating liquors as a beverage. The appointment shall be made only on condition that the applicant shall execute to the County Treasurer a bond in the penal sum of three thousand dollars, with good and sufficient sureties, conditioned that he will well and truly obey the laws of the State of South Carolina, now or hereafter in force, in relation to the sale of intoxicating liquors; that he will pay all fines, penalties, damages and costs that may be assessed or recorded against him for violations of such laws during the term for which said appointment is made, and will not sell intoxicating liquors at a price other than that fixed by State Board of Control. Said bond shall be for the use of the State and County or any person or persons who may be damaged or injured by reason of any violation on the part of the obligor of the law relating to intoxicating liquors purchased or sold during the term for which said appointment is made. The said bond shall be deposited with the County Treasurer, and suit thereon shall be brought at any time by the Solicitor or any person for whose benefit the same is given; and in case the conditions thereof, or any of them, shall be violated, the principal and sureties thereon shall also be jointly and severally liable for all civil damages, costs and judgments that may be obtained against the principal in any civil action brought by wife, child, parent, guardian, employer or other person under the provision of the law. All other moneys collected for breaches of such bond shall be distributed as other funds arising from the Dispensary. Said bond shall be approved as other official bonds for the County.

County Dis-
pensaries, how
located.

Section 7. There may be one or more County Dispensers appointed for each County, the place of business of each of whom shall be designated by the County Board, but the State Board of Control must give consent before more than one Dispenser can be appointed in any County; and when the County Board designates a locality for a Dispensary, twenty days' public notice of which shall be given, it shall be competent for a majority of the voters of the township

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in which such Dispensary is to be located to prevent its location in such township by signing a petition or petitions, addressed to the County Board, requesting that no Dispensary be established in that township. The County Board may in its discretion locate a Dispensary elsewhere than in an incorporated town in the Counties of Beaufort and Horry, and no others, except such as are authorized by special Act of the General Assembly: Provided, however, That any County, town or city wherein the sale of alcoholic liquors was prohibited by law prior to July 1, 1893, may secure the establishment of a Dispensary within its borders in the following manner: Upon petition signed by one-fourth of the qualified voters of such County, town or city wishing a Dispensary therein being filed with the County Supervisor or Town or City Council, respectively, they shall order an election submitting the question of Dispensary or no Dispensary to the qualified voters of such County, town or city, which election shall be conducted as other special elections; and if a majority of the ballots cast be found and declared to be for a Dispensary, then a Dispensary may be established in said County, town or city: Provided, That Dispensaries may be established in the Counties of Williamsburg, Pickens and Marion and at Seneca and other towns now incorporated in Oconee County without such election or compliance with the other requirements of this Act: Provided, That nothing in this Act contained shall be so construed as to prohibit persons resident in Counties which shall elect to have no Dispensary from procuring liquors from Dispensaries in other Counties, or County Dispensers from shipping same to their places of residence under proper labels or certificates: Provided, further, That nothing in this Act shall be construed to repeal an Act entitled "An Act to allow the opening of Dispensaries in Pickens and Oconee Counties," approved December 18th, 1894.

Section 8. If the application for the position of Dispenser be granted, the appointment shall not be made until the applicant shall make and subscribe on oath, before some officer authorized by law to administer oaths, which shall be endorsed upon the bond, to the effect and tenor following: "I, _____, do solemnly swear (or affirm) that I will well and truly perform all and singular the condition of the within bond, and keep and perform the trusts con-

Oath of Dispensers; permits, &c.

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fided in me to purchase, keep and sell intoxicating liquors. I will not sell, give or furnish to any person any intoxicating liquors otherwise than is provided by law, and, especially, I will not sell or furnish intoxicating liquors to any minor, intoxicated person or persons who are in the habit of becoming intoxicated, and I will make true, full and accurate returns to the County Board of Control on the first Monday of each month of all certificates and requests made to or received by me, as required by law, during the preceding month; and such returns shall show every sale and delivery of such liquors made by me or for me during the month embraced therein, and the true signature to every request received and granted; and such returns shall show all the liquors sold or delivered to any and every person as returned." Upon taking said oath and the oath required by the Constitution, and filing bond as hereinbefore provided, the County Board of Control shall authorize him to keep and sell intoxicating liquors as in this Act provided, and every appointment so made shall specify the building, giving the street and number or location, in which intoxicating liquors may be sold by virtue of the same, and the length of time in which the same shall be in force, which in no case shall exceed twelve months. Appointments made under this Act shall be deemed trusts reposed in the recipients thereof, not as a matter of right, but of confidence, and may be revoked upon sufficient showing by order of the County Board of Control; and upon the removal of any County Dispenser, or upon demand of the County Board of Control, he shall immediately turn over to the County Board of Control all liquors and other property in his possession belonging to the State or County. Said County Board of Control shall be charged with the duty of prosecuting the County Dispenser or any of his employees who may violate any of the provisions of this Act. On the death, resignation or removal of a County Dispenser, or expiration of his term of office, the County Board shall appoint his successor.

Office and
Clerk of County
Boards; books
and records;
profits; com-
pensation, &c.

Section 9. The County Board of Control shall use as their office the office of the County Supervisor of their County and shall elect one of their number as Chairman and a clerk of the said County Board of Control. The County Board shall preserve as a part of the records and files of their office all petitions, bonds and other papers pertaining

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to the appointment of Dispensers and keep suitable books in which bonds shall be recorded. The books shall be furnished by the County like other public records. The County Board of Control shall designate or provide a suitable place in which to sell the liquors. The members of the County Board of Control shall meet once a month or oftener, on the call of the Chairman, and each member of the Board shall receive a per diem of two dollars and five cents mileage each way, but they shall not receive compensation for more than thirty days in any one year, except in the County of Charleston, where they shall not receive compensation for more than sixty days in any one year, and in Barnwell County not more than fifty days in any one year. They shall, upon the approval of the State Board of Control, employ such assistants for the County Dispenser as may be necessary. The Dispenser and his assistants shall receive such compensation as the State Board of Control may determine. All profits, after paying all expenses of the County Dispensary, shall be paid, one-half to the County Treasurer and one-half to municipal corporation in which it may be located, such settlements to be made quarterly: Provided, That if the authorities of any town or city, in the judgment of the State Board of Control, do not enforce this law, the State Board may withhold the part going to the said town or city and use it to pay State Constables or else turn it into the County treasury. All moneys received by the County Dispenser belonging to the State shall be forwarded on Monday of each week to the State Treasurer, and at the same time the County Dispenser shall forward to the State Board of Control a duplicate statement of the remittance so made to the State Treasurer. On the same day of each week the County Dispenser shall deposit with the County Treasurer the portion of all the moneys received by him belonging to the County and to the municipal authorities in which the Dispensary is located. The County Treasurer shall give his receipt therefor, and hold the same until the quarterly settlement hereinbefore provided for is had. The quarterly settlements herein provided for shall be made on the fourth Monday in the months of March, June, September and December in each year. Such settlements shall be made in the presence of the County Auditor, who shall make a memorandum of the items thereof and

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forward the same to the State Board of Control. The Mayor or Intendant of the city or town in which the Dispensary is located may also attend such settlement: Provided, That in Counties where Dispensaries are established in other than incorporated cities or towns the County shall get all profits that would otherwise go to such cities and towns: Provided, That in the County of Barnwell the clerk of the Board of County Commissioners shall be the clerk of the Board of Control.

Requests for liquor, how made, and to whom refused.

Section 10. Before selling or delivering any intoxicating liquors to any person a request must be presented to the County Dispenser, printed or written in ink, dated of the true date, stating that he or she is of age and the residence of the signer, for whom or whose use it is required, the quantity and kind required and his or her true name; and the request shall be signed by the applicant in his own true name and signature, attested by the County Dispenser or his clerk who receives and files the requests. But the requests shall be refused if the County Dispenser filling it personally knows the person applying is a minor, that he is intoxicated, or that he is in the habit of using intoxicating liquors to an excess; or if the applicant is not so personally known to said County Dispenser, before filling said order or delivering said liquor he shall require the statement of a reliable and trustworthy person of good character and habits, known personally to him, that the applicant is not a minor and is not in the habit of using intoxicating liquors to excess.

Requests for liquor to be made on blanks furnished, &c.

Section 11. Requests for purchase of liquor shall be made upon blanks furnished by the County Auditor, in packages of one hundred each, to the County Dispenser, from time to time as the same shall be needed, and shall be numbered consecutively by the Auditor. The blanks aforesaid shall be furnished to the County Auditor by the State Board of Control, in uniform books like bank checks, and the date of delivery shall be endorsed by the County Auditor on each book and receipt taken therefor and preserved in his office. The Dispenser shall preserve the application in the original form consecutively by the Auditor. When return thereof is made the County Auditor shall endorse thereon the date of return, and file and preserve the same, to be

used in the quarterly settlements between such Dispenser and the County Treasurer. All unused or mutilated blanks shall be returned or accounted for before other blanks are issued to such County Dispenser.

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Section 12. On or before the tenth day of each month each Dispenser shall make full returns to the County Auditors of all requests filled by him and his clerks during preceding month, upon blanks to be furnished by the State Board of Control for that purpose, and accompany the same with an oath, duly taken and subscribed before the County Auditor or a Notary Public, which shall be in the following form, to wit: I, _____, being duly sworn, state on oath that the request for liquors herewith returned are all that were received and filled at my place of business under my permit during the month of _____, 189—; that I have carefully preserved the same, and that they were filled up, signed and attested at the date shown thereon, as provided by law; that said requests were filled by delivering the quantity and kind of liquors required, and that no liquors have been sold or dispensed under my permit during said month except as shown by the request herewith returned; and that I have faithfully observed and complied with the provisions of my bond and oath taken by me, thereon endorsed, and with all the laws relating to my duties in the premises.

Returns by
Dispenser, &c.

Section 13. Upon failure of any Dispenser to make returns to the Auditor as herein required, it shall be the duty of said Auditor to report such failure to the State Board of Control, and the said State Board of Control shall immediately order the County Board to summon said delinquent Dispenser to appear before them and show cause why his appointment should not be revoked; and if cause shall not be shown to the satisfaction of the County Board of Control, they shall immediately annul said appointment and give public notice thereof; and the Circuit Solicitor shall proceed to enforce the penalties prescribed in this Act for such violation against said County Dispenser at the next succeeding term of Court in the County in which such appointment is held; and any Dispenser who shall sell or dispose of any intoxicating liquors after his appointment shall have been revoked shall, upon conviction thereof, be fined not less than five hundred (500) dollars and be imprisoned

Enforcement
of returns in
case of failure.

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Penalty for
illegal purchase, &c.

for six months. If any Dispenser or his clerk shall procure any intoxicating liquors from any other person except the State Commissioner, or if he, or they, or any person or persons in his or their employ, or by his or their direction, shall sell or offer for sale any liquors other than such as have been furnished by the State Commissioner, or shall adulterate, or cause to be adulterated, any intoxicating spirituous or malt liquors which he or they may keep for sale under this Act, by mixing with some coloring matter or any drug or ingredient whatever, or shall mix the same with other liquors of different kind or quality, or with water, or shall sell or expose for sale such liquors so adulterated, knowing it to be such, or shall change the label upon any box, bottle or package, he or they shall be guilty of a misdemeanor and be fined in a sum of not less than two hundred dollars or imprisoned for not less than six months. If any County Dispenser shall misappropriate, misuse or otherwise wrongfully dispose of any moneys or other property belonging to the State, County or municipality, he shall upon conviction be punished as in case of breach of trust with fraudulent intent.

Dispensers
violating the
law liable to
damages.

Section 14. That any County Dispenser who, in violation of his oath of office, sells or furnishes intoxicating liquors to any minor, intoxicated person, or person who is in the habit of becoming intoxicated, or fails to make full and accurate returns as required by law, showing the true signature to every request for liquor by him received and granted, or sells liquors to any person without first requiring the written requests therefor to be filled out and signed as provided by law or the regulations of the State Board of Control, that on such information given by any person, with sufficient evidence, it shall be the duty of the Solicitor to bring suit in the name of the County for two hundred dollars' damages on the bond of the said County Dispenser against the principal and sureties of said bond for each of such violations, for which said principal and sureties shall be liable, jointly and severally, together with all cost and judgments pertaining to the suit. And on judgments given against him the said County Dispenser shall be immediately deprived of his office as Dispenser, and his principal and sureties aforesaid shall remain further liable, jointly and severally, to the extent of their bond, to all civil damages,

costs and judgments which may be obtained against the principal in any civil action brought by wife, child, parent, guardian, employee, or other person, under the provisions of the law: Provided, That if the said County Dispenser can show to the satisfaction of a jury by way of defense that the said intoxicating liquor was obtained from him by the infant, intoxicated person, or person in the habit of becoming intoxicated, by fraudulent and deceitful representations, the person making such fraudulent and deceitful representation shall be guilty of a misdemeanor, and be fined in a sum of not less than two hundred dollars or imprisonment for not less than six months.

A. D. 1890.

Section 15. No person, firm, association or corporation shall manufacture for sale, or keep for sale, exchange, barter, or dispense, any liquors containing alcohol, for any purpose whatsoever, otherwise than is provided in this Act. Any person, firm, association or corporation desiring or intending to manufacture or distill any liquors containing alcohol within this State shall first obtain from the State Board of Control a permit or license so to do; and it shall be unlawful for any such person, firm, association or corporation to manufacture or distill any liquors containing alcohol within this State without having such permit or license. Any violations of the terms of the permit or license shall authorize and warrant the seizure of the product on hand at any distillery or place where liquors containing alcohol are manufactured: Provided, The United States has no lien or claim upon the same. And in the application for a permit or license to manufacture liquors containing alcohol the applicant shall give the State full power upon any violation of this Act to seize and take possession of any product on hand at the distillery or place where such applicant shall manufacture such liquors, and shall authorize the State to pay the United States Government the tax upon the same if unpaid and to dispose thereof as provided herein for contraband goods. Every package, barrel or bottle of such liquor shipped beyond the limits of this State shall have thereon the certificate of the State Board of Control allowing same, otherwise it shall be liable to confiscation, and the railroad carrying it shall be punished as in Section three: And provided, That any person shall have the right to make wine for his or her own use from grapes or other

Dispensers
alone may sell.

A. D. 1896.

fruits. The Inspector appointed by the State Board of Control, as herein provided, shall have the right to enter and examine, at any and all times not forbidden by the United States laws, any distillery, brewery or place where liquors containing alcohol is manufactured within this State. Any manufacturer, distiller or brewer who may refuse to allow the Inspector or Constable to enter and examine his place of business and its appurtenances at such times as the Inspector or Constable may deem proper shall forfeit his permit or license.

Account book
of Dispenser.

Section 16. Every Dispenser shall keep a strict account of all liquors received by him from the State Commissioner, in a book kept for that purpose, which shall be subject at all times to the inspection of the Circuit Solicitor, any peace officer or grand juror of the County, or of any other citizen, and such book shall show the amount and kind of liquors procured, the date of receipt and amount sold, and the amount on hand of each kind for each month. Such book shall be produced by the party keeping the same, to be used as evidence on trial of any prosecution against him on notice duly served that the same will be required as evidence.

U. S. special
tax, prima
facie evidence
of illegal sales.

Section 17. The payment of the United States special tax as a liquor seller, or notice of any kind in any place of resort, or in any store or shop, indicating that alcoholic liquors are there sold, kept or given away, shall be held to be prima facie evidence that the person or persons paying said tax and the parties displaying such notices are acting in violation of this Act, and unless said person or parties are selling under appointment as prescribed by this Act they shall be punished by a fine of not less than one hundred dollars nor more than five hundred dollars, or by imprisonment for a term of not less than three months nor more than twelve months. Conviction in the United States Courts of illicit sales of liquors shall be taken as prima facie evidence of violation of the provisions of this Act, and any distiller or manufacturer of liquors containing alcohol so convicted in the United States Courts shall, by reason of such conviction, forfeit the permit or license granted him by the State Board of Control in addition to the other penalties herein provided.

Section 18. Licensed druggists conducting drug stores and manufacturers of proprietary medicines are hereby authorized to purchase of Dispensers of the Counties of their residence intoxicating liquors (not including malt) for the purpose of compounding medicines, tinctures and extracts that cannot be used as a beverage. The Dispenser shall not charge licensed druggists more than ten per cent. net profits for liquors so sold. Such purchaser shall keep a record of the uses to which the same are devoted, giving the kind and quantity so used, and quarterly they shall make and file with the County Auditor and with the County Board of Control sworn reports, giving a full and true statement of the quantity and kinds of such liquors purchased and used, the uses to which the same have been devoted, and giving the name of the Dispenser from whom the same was purchased, and the dates and quantities so purchased, together with an invoice of each kind still in stock and kept for such compoundings. If said licensed druggist shall sell, barter, give away or exchange, or in any manner dispose of, said liquors for any purpose other than authorized by this Section, he shall upon conviction forfeit his license and be liable to all penalties, prosecutions and proceedings at law and in equity provided against persons selling without authority, and upon such conviction the Clerk of the Court shall, within ten days after such judgment or order, transmit to the Board of Pharmaceutical Examiners the certified record thereof, upon receipt of which the said Board shall strike the name of the said druggist from the list of pharmacists and revoke his certificate: Provided, That nothing herein contained shall be construed to authorize the manufacture or sale of any preparation or compound, under any name, form or device, which may be used as a beverage which is intoxicating in its character: And provided, further, That the State Commissioner shall be authorized to sell to manufacturing chemists and wholesale druggists alcohol by the barrel at not exceeding ten per cent. above the net cost.

A. D. 1896.

Privileges to
licensed druggists.

Section 19. If any person shall make any false or fictitious signature or sign any name other than his or her own to any paper required to be signed by this Act without being authorized to do so, or make any false statement in any paper, request or application signed to procure liquor under

False signatures, statements, &c.; penalties.

A. D. 1906.

this Act, the person so offending shall be guilty of a misdemeanor and upon conviction thereof shall be punished by a fine of not more than twenty-five dollars or be imprisoned not more than thirty days.

**False oaths
and illegal acts
of Dispensers.**

Section 20. If any Dispenser or his clerk shall make false oath touching any matter required to be sworn to under the provisions of this Act, the person so offending shall, upon conviction, be punished as provided by law for perjury. If any County Dispenser shall procure any intoxicating liquors from any other person than the State Commissioner, or make any false return to the County Auditor, or use any request for liquors for more than one sale, in any such case he shall be deemed guilty of a misdemeanor and upon conviction be punished by a fine of five hundred dollars or six months' imprisonment.

**Liquors at
clubs prohibited**

Section 21. Every person who shall, directly or indirectly, keep or maintain by himself, or by associating or combining with others, or who shall in any manner aid, assist or abet in keeping or maintaining, any club room or other place in which any intoxicating liquors are received or kept for use, barter or sale as a beverage, or for distribution or division among the members of any club or association by any means whatever, and every person who shall receive, barter, sell, assist, or abet another in receiving, bartering or selling, any alcoholic liquors so received or kept, shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be punished by a fine of not less than one hundred dollars nor more than five hundred dollars, or by imprisonment for a term of not less than three months nor

**Provisions as
to hotels.**

more than twelve months: Provided, That the State Board of Control shall have the power, upon a proper showing, and under such rules as they may adopt, to exempt hotels where tourists or health-seekers resort from being considered nuisances or as violating this Act by reason of any manager of such hotels dispensing liquors bought from the Dispensary by the bottle, either night or day, but before any such exemption shall be granted the State Board of Control shall require the manager of such hotel to give a good and sufficient bond in the penal sum of three thousand dollars conditioned for the observance of all the rules, regulations and restrictions prescribed and imposed by the said

Board and with all the requirements of this Act, and it shall be lawful for any Constable or officer thus employed under this Act to enter such hotel and search it for contraband liquors at any time, day or night, without a warrant.

A. D. 1896.

Section 22. All places where alcoholic liquors are manufactured, sold, bartered or given away in violation of this Act, or where persons are permitted to resort for the purpose of drinking alcoholic liquors as a beverage, or where alcoholic liquors are kept for sale, barter or delivery in violation of this Act, are hereby declared to be common nuisances, and any person may go before any Magistrate in the County and swear out an arrest warrant on personal knowledge or on information and belief, charging said nuisance, giving the names of witnesses against the keeper or manager of such place and his aids and assistants, if any, and such Magistrate shall direct such arrest warrant either to the Sheriff of the County or to any special Constable, commanding said defendant to be arrested and brought before him to be dealt with according to law, and shall issue a search warrant in which the premises in question shall be particularly described, commanding such Sheriff or Constable to thoroughly search the premises in question and to seize all alcoholic liquors found thereon, and dispose of them as provided in Section 31, and to seize all vessels, bar fixtures, screens, bottles, glasses and appurtenances apparently used or suitable for use in retailing liquors, to make a complete inventory thereof, and deposit the same with the Sheriff. That under the arrest warrant the defendant shall be arrested and brought before such Magistrate, and the case shall be disposed of as in case of other crimes beyond his jurisdiction, except that when he commits or binds over the parties for trial to the next term of Court of General Sessions for the County he shall make out every paper in the case in duplicate and file one with the Clerk of the Court for the County, and immediately transmit the other to the Solicitor of the Circuit, whereupon said Solicitor shall at once apply to any Circuit Judge at chambers within that Circuit, or to the nearest Circuit Judge if there be none in that Circuit, for an order restraining the defendants, their servants or agents, from keeping, receiving, bartering, selling or giving away any alcoholic liquors until the further order of the Court. Such Circuit Judge is hereby

Liquor resorts declared to be nuisances; arrest warrants, seizures, &c.

Restraining order.

A. D. 1896.

Violation of
order to be con-
tempt.

Punishment
for contempt.

authorized, empowered and required to grant the said restraining order without requiring a bond or undertaking upon the hearing or receipt by him of said papers from the Court of the said Magistrate by the hands of the Solicitor; and any violation of said restraining order before the trial of the case shall be deemed a contempt of Court and punished as such by said Judge or Court, or any other Circuit Judge, as for the violation of an order of injunction. Upon conviction of said defendants of maintaining said nuisance at the trial, they or any of them shall be deemed guilty of a misdemeanor, punishable by imprisonment in the County jail for a term of not less than three months, or a fine of not less than two hundred dollars, or by both, in the discretion of the Court; and the restraining order shall be made perpetual. The articles covered by the inventory, which were retained by the Sheriff, shall be forfeited to the State and sold, and the net proceeds sent to the State Treasurer, and the Sheriff shall forthwith proceed to dispose of the alcoholic liquors covered by said inventory as provided for in this Act as when other liquors are seized. Liquors seized as hereinbefore provided, and the vessels containing them, shall not be taken from the custody of the officers in possession of the same by any writ of replevin or other process while the proceedings herein provided are pending. No suit shall lie for damages alleged to arise by seizure and detention of liquors under this Act. Any person violating the terms of any restraining order granted in such proceedings shall be punished for contempt by a fine of not less than two hundred dollars nor more than one thousand dollars, and by imprisonment not less than ninety days nor more than one year.

In contempt proceedings arising out of the violation of any injunction granted under the provisions of this Act, the Court, or in vacation any Judge thereof, shall have power to try summarily and punish the party or parties guilty, as required by law. The affidavits upon which the attachment for contempt issues shall make a prima facie case for the State. At the hearing upon the charge of contempt, evidence may be oral or in the form of affidavits, or both. The defendant shall not necessarily be discharged upon his denial of the fact stated in the moving papers. The Clerk of the Court shall, upon the application of either party, issue

subpoenas for witnesses, and, except as above set forth, the practice in such contempt proceedings shall conform as nearly as may to the practice in the Court of Common Pleas. That when any Solicitor neglects or refuses to perform any duty, or to take any steps required of him by any of the provisions of the preceding Section, or by any of the provisions of this Act, the Attorney-General, on his own motion, or by request of the Governor, shall in person, or by his Assistant, proceed to the locality and perform such neglected duty, and take such steps as are necessary in the place of such Solicitor, and at his discretion to cause a prosecution to be instituted, not only in the matter so neglected, but also a prosecution against the Solicitor for malfeasance or misfeasance in office, or for official misconduct, or for other charges justified by facts, and to pursue the prosecution to the extent of a conviction and dismissal from office of any such Solicitor.

A. D. 1896.

Duty of Attorney General, when Solicitor neglects his duty.

And in such event the Attorney-General shall be, and is hereby, authorized and empowered to appoint one or more additional assistants, who shall each have while actually employed the same compensation, to be paid from the litigation fund of the Attorney-General.

Any duty herein imposed upon a Solicitor may be performed with equal force and effect by the Attorney-General or other person authorized by him to perform such duty.

Section 23. The manager of every registered distillery of liquor in this State shall report quarterly to the State Board of Control, showing the number of gallons of each kind of liquor on hand, manufactured or disposed of during the quarter; and if the said report fail to correspond with the return of said distiller to the United States Revenue Collector of this State, or it is shown that said manager has disposed of liquor contrary to this Act, said distillery shall be deemed to be a common nuisance, and the said manager and his aiders and assistants and the premises shall be proceeded against as in this Act provided as to places where liquors are sold contrary to this Act.

Distillers to report quarterly to State Board.

Section 24. In all places where liquors are unlawfully kept or stored, the same not being in an open house or exposed to view, and a search being necessary, upon affidavit to that effect, or on information and belief that contraband liquor is in such place, a search warrant may be issued by a

Search warrant, by whom issued; disposition of liquor seized.

A. D. 1896.

Justice, Judge or Magistrate, or Mayor or Intendant of a city or town, to whom application is made, empowering a Constable, or any person who may be deputized, to enter the said place by day time, or in the night time, and to search and examine the said premises for the purpose of seizing the said contraband liquors therein concealed, kept or stored, which said liquor when so seized shall be disposed of as hereinafter provided.

When seizures may be made without warrant.

Section 25. That any of the liquors set forth in Section one (1) of this Act, which are contraband, may be seized and taken without warrant by any Constable, Sheriff or policeman while in transit or after arrival, whether in possession of a common carrier, depot agent, express agent, private person, firm, corporation or association, and reported to the State Commissioner at once, who shall dispose of the same as hereinafter provided: Provided, That liquors purchased outside the State, owned and conveyed as personal baggage, shall be exempt from seizure when the quantity does not exceed one gallon.

Possession of illicit liquor prohibited; debt for void.

Section 26. That the possession of said illicit liquors is hereby prohibited and declared unlawful, and any obligation, note of indebtedness, contracted in their sale or transportation is declared to be absolutely null and void, nor shall any action or suit for the recovery of the same be entertained in any Court in this State.

Proceedings in rem.

Section 27. That the proceedings against liquor so illegally kept, stored, sold, delivered, elsewhere than at his or her residence, transported or being transported, shall be considered a proceeding in rem, unless otherwise herein provided.

Transportation or possession of falsely branded packages.

Section 28. That the carriage, transportation, possession, removal, sale, delivery or acceptance of any of the said liquors or liquids in any package, cask, jug, box or other package, under any other than the proper name or brand known to the trade as designating the kind and quality of the contents of the casks, packages or boxes containing the same, or the causing of such carriage, transportation, possession, removal, sale, delivery or acceptance, shall work the forfeiture of said liquors or liquids and casks or packages, and the person or persons so offending, knowingly, be subject to pay a fine of not less than one hundred dollars nor more than five hundred dollars, or imprisonment for

the term of not less than six months nor less than one year, and the wrongful name, address, mark, stamp or style on such liquor when seized shall be considered evidence prima facie of guilt. The books and way bills of the common carrier may be examined to trace said liquor to the shipper, who shall be liable, upon conviction, in like penalty.

A. D. 1896.

Section 29. That all Constables, Deputy Constables, Sheriffs, Magistrates or municipal policemen shall have the right, power and authority, and it shall be their duty, whenever they are informed or suspect that any such suspicious package in possession of a common carrier contains alcoholic liquors or liquids, to detain the same for examination for the term of twenty-four hours without any warrant or process whatever. Any Constable, Deputy Constable, Sheriff or Magistrate who shall neglect or refuse to perform the duties required by this Act shall be subject to suspension by the Governor. Any Sheriff or Magistrate seizing any alcoholic liquors or liquids as required by this Section shall be paid one-half the value of said liquor or liquids so soon as the same shall have been received at the State Dispensary, approved and disposed of according to law.

Powers of Constables to detain suspicious packages.

Section 30. That any interference by any person with, obstruction or resistance of, or abusive language to, any officer or person in the discharge of the duties herein enjoined, or the use of abusive language by any such officer or person to any other person or persons, shall be deemed a misdemeanor, and the person or persons so offending shall, upon conviction, be punished by a fine of not less than one hundred dollars, nor more than five hundred dollars, or imprisoned for a term of not less than three months nor more than twelve months.

Interference with officers forbidden.

Section 31. In all cases of seizure of any goods, wares, merchandise, or any other property, hereafter or heretofore, made as being subject to forfeiture under any provisions of this Act or any former Act, which in the opinion of the officer or person making the seizure are of the appraised value of fifty dollars or more, the said officer or person shall proceed as follows: First. He shall cause a list containing a particular description of the goods, wares or merchandise seized to be prepared in duplicate and an appraisement thereof to be made by three sworn appraisers to be selected by him, who shall be respectable and disinterested citizens

Proceedings when goods seized are of the value of \$50 or more.

A. D. 1896.

When of less
value than \$50.

Duty of Solicitor.

of the State of South Carolina residing within the County wherein the seizure was made. Said list and appraisement shall be properly attested by the said officer or person and the said appraisers, for which service each of the said appraisers shall be allowed the sum of one dollar per day, not exceeding five days, to be paid by the State Board of Control. Second. If the said goods are believed by the officer making the seizure to be of less value than fifty dollars, no appraisement shall be made. The said officer or person shall proceed to publish a notice for three weeks, in writing, at three places in the County where the seizure was made, describing the articles and stating the time and place and cause of their seizure, and requiring any person claiming them to appear and make such claim within thirty days from the date of the first publication of such notice. Third. That any person claiming the liquors or other property so seized as contraband within the time specified in the notice may file with the State Board of Control a claim, stating his interest in the articles seized, and may execute a bond to the State Board of Control in the penal sum of five hundred dollars, with sureties, to be approved by the said State Board of Control, conditioned that in the case of condemnation of the articles so seized the obligors shall pay all the costs and expenses of the proceedings to obtain such condemnation; and upon the delivery of such bonds to the State Board of Control he shall transmit the same with the duplicate list or description of the goods seized to the Solicitor of the Circuit in which such seizure was made, and the said Solicitor shall prosecute the case to secure the forfeiture of said contraband liquors or liquids in the Court having jurisdiction. Fourth. If no claim is interposed and no bond given within the time above specified, such liquors shall be forfeited without further proceedings, and the State Commissioner shall have the said liquors tested by the State Chemist, and if pure shall furnish the same through the State Dispensary. If not pure the same shall be destroyed by the Chemist of the South Carolina College, who shall make a report to the State Board of Control of the amount and kinds of liquors so destroyed: Provided, That in seizures in quantities less in value than fifty dollars of such illicit liquor or liquors, the same may be advertised with other quantities at Columbia by the State Board of

Control and disposed of as hereinbefore provided: Provided, further, That the claimants of such liquors may give bond in one hundred dollars as when the value is fifty dollars or over, and shall bear the burden of showing before a Magistrate that they have complied with the law and that the liquor is not liable to seizure.

A. D. 1896.

When claimants may give bond.

Section 32. That all fermented, distilled or other liquors, or liquids containing alcohol, transported into this State, or remaining herein for use, sale, consumption, storage, or other disposition, shall, upon introduction and arrival in this State, be subject to the operation and effect of this law to the same extent and in the same manner as though such liquors or liquids had been produced in this State.

Liquors on arrival in the State to be subject to its laws.

Section 33. That no person, except as provided in this Act, shall bring into this State, or transport from place to place within this State, by wagon, cart or other vehicle, or by any other means or mode of carriage, any liquor or liquids containing alcohol, under a penalty of one hundred dollars or imprisonment for thirty days for each offense, upon conviction thereof, as for a misdemeanor. Any servant, agent or employee of any persons, corporations or associations doing business in this State as a common carrier, or any person whatever (except an officer seizing or examining the same), who shall remove any intoxicating liquors from any railroad car, vessel or other vehicle of transportation at any place other than the usual and established stations, wharves, depots or places of business of such common carriers within some incorporated city or town where there is a Dispensary, or who shall aid in or consent to such removal, or attempt to remove, shall upon conviction be sentenced to pay a fine of not less than one hundred dollars nor more than five hundred dollars, or imprisonment for a term of not less than three months nor more than twelve months: Provided, That said penalty shall not apply to any liquor in transit when changed from car to car to facilitate transportation across the State: Provided, That this Section does not apply to liquors purchased from a Dispensary and bearing the proper label or certificate. All liquors in this State, except Dispensary liquors and those passing through this State, consigned to points beyond this State shall be deemed contraband, and may be seized in transit

Penalty for transporting liquors in vehicles, except as herein provided

Liquors in transitu.

A. D. 1896.

Officers may
enter and
search cars.

without warrant. And any steamboat, sailing vessel, railroad, express company or other common carrier transporting or bringing into this State, for sale or use therein, except by the Dispensary shall suffer a penalty of five hundred dollars and costs for each offense, to be recovered by the Solicitor of the Circuit or the Attorney-General by an action brought therefor in any Court of competent jurisdiction. The State Constable, Sheriff, municipal police or any lawful Constable may enter any railroad car, or express car, or depot, or steamboat, or other vessel, without warrant and make search for such contraband liquors, and may examine the way bills and freight books of said common carriers, and any one interfering with or resisting such officer shall be punished by a fine of not less than one hundred dollars nor more than five hundred dollars, or imprisonment for a term of not less than three months nor more than twelve months.

Arrest of open
violators.

Section 34. That any person detected openly or in the act of violating any of the provisions of this Act shall be liable to arrest without warrant: Provided, A warrant shall be procured within a reasonable time thereafter.

Punishment
for violation of
forbidden acts.

Section 35: That in case of conviction of violations of any of the Sections of this Act where punishment is not especially provided for, the person or persons or corporations so convicted shall be punished in the discretion of the Court trying the same. All alcoholic liquors, other than domestic wine, which do not have on the packages in which they are contained the label and certificates going to show that they have been tested by the Chemist and purchased from a State officer authorized to sell them are hereby declared contraband, and on seizure will be forfeited to the State, as provided in Section 31: Provided, That this Section shall not apply to liquor held by the owners of registered stills in bonded warehouses. Persons having liquor which they wish to keep for their own use may throw the protection of the law around the same by furnishing an inventory of the quantity and kinds to the State Commissioner and applying for certificates to affix thereto.

Protection
may be had for
liquor stored.

Imitation
stamps prohib-
ited.

Any persons affixing or causing to be affixed to any package containing alcoholic liquor any imitation stamp or other printed or engraved label or device than those furnished by

the State Board of Control shall, for each offense, be liable to a penalty of ten days' imprisonment or twenty-five dollars' fine.

A. D. 1896.

Section 36. Every person who dispossesses or rescues from a Constable or other officer, or attempts so to do, any alcoholic liquor taken or detained by such officer charged with the enforcement of this law shall, upon conviction, be imprisoned not less than three months nor more than twelve months, or pay a fine of not less than one hundred dollars nor more than five hundred dollars.

Rescue from officer.

Section 37. Any person handling contraband liquor in the night time or delivering the same shall be guilty of a misdemeanor, and on conviction shall be punished by imprisonment for not less than three months nor more than twelve months, or by a fine of not less than one hundred dollars nor more than five hundred dollars.

Handling contraband liquor at night.

Section 38. Any wagon, cart, boat, or any other conveyance, together with horses, mules, or other animal or animals and harness, accompanying the same, transporting liquors at night, other than regular passenger or freight steamers and railway cars, shall be liable to seizure and confiscation, and to that end the officer shall cause the same to be duly advertised and sold and the proceeds sent to the State Treasurer.

Transportation by vehicles at night.

Section 39. Every Dispenser when he sells a package containing liquor shall put a cross mark in ink on the label or certificate thereon extending from the top to the bottom and from side to side. When any liquor is seized because it has not the necessary certificates and labels required by this Act, the burden of proof shall be upon the claimant of said spirits to show that no fraud has been committed and that the whiskey is not contraband.

Labels to be cancelled by Dispenser.

Section 40. That any railroad, steamboat, express company or other common carrier shall incur a penalty of treble the invoice price of any alcoholic liquors lost or stolen in transit to or from the Dispensary, whether shipped as released or not, such penalty to be recovered by action in any Court of competent jurisdiction.

Common carriers liable to treble value of goods lost or stolen.

Section 41. That it shall be unlawful for any person to take or to solicit orders, or to receive money from other persons for the purchase or shipment of any alcoholic liquors for or to such other persons in this State, except for

Agency for sale of liquor prohibited.

A. D. 1896.

liquors to be purchased and shipped from the Dispensary, and any person violating this Section, upon conviction, shall be deemed guilty of a misdemeanor, and shall be punished by imprisonment for a term of not less than three months nor more than twelve months, or by a fine of not less than one hundred dollars nor more than five hundred dollars.

Officers to notify Solicitors, &c.

Section 42. It shall be the duty of Sheriffs, Deputy Sheriffs and Constables having notice of the violation of any of the provisions of this Act to notify the Circuit Solicitor of the fact of such violation, and to furnish him the name of any witness within their knowledge by whom such violation can be proven. If any such officer or Solicitor shall willfully fail to comply with the provisions of this Section, he shall, upon conviction, be fined in a sum not less than one hundred dollars nor more than five hundred dollars, and such conviction shall work a forfeiture of the office held by such person, and the Court before whom such conviction is had shall, in addition to the imposition of the fine aforesaid, order and adjudge the forfeiture of his said office.

Competent to charge divers sales on same or different days.

Section 43. That in any indictment for the sale of intoxicating liquors it shall be competent to charge a series of sales on the same or on divers days up to the finding of the true bill to one person, or to different persons, naming one and stating the others to be unknown, in the same count, as was formerly the practice in indictments for retailing liquor without license in this State, and the prosecuting officer shall not be required to elect which particular sale he will rely on, but may offer proof of all, and proof of any one or of all the sales will sustain a verdict: Provided, Upon a trial and conviction or acquittal no other bill of indictment will lie for any sale occurring prior to bill found on the case tried, and that punishment shall be in such cases as for one sale: Provided, further, That this Section shall not be so construed as to prevent the prosecuting officer from giving out several bills of indictment for several sales in the first instance if he thinks best to do so.

Affidavits may be on information and belief.

Section 44. That whenever in this Act it is provided that process shall issue upon an affidavit based on information and belief, the affidavit shall contain a statement setting forth the sources of information, the facts and grounds of belief upon which the affiant bases his belief: Provided,

That it shall not be necessary to set forth the sources of information, the facts and grounds of belief in the affidavit upon which a warrant of arrest shall issue, but it shall only be necessary in cases of search warrants.

A. D. 1896.

Section 45. That Chapter I, Title VII, of the Code of Civil Procedure of this State, entitled "Of Provisional Remedies in Civil Actions," shall not apply to any officer or person having duties to perform under this Act, and in no case shall an action lie against any such officer or person for damages to person or property, as provided in said Chapter.

Actions
against officers
acting under
this law.

Section 46. The Governor shall have authority to appoint one or more State Constables at a salary of not more than two dollars per day and such expenses as the Governor may deem proper when on duty, and two Chief Constables at not more than three dollars each per day and such expenses as the Governor may deem proper, and also one or more detectives at reasonable compensation, to see that this Act is enforced, the same to be paid from the Dispensary fund in the same manner as the salary of the State Commissioner.

Governor may
appoint State
Constables; pay
of.

Section 47. That this Act shall be a public Act and shall go into effect immediately upon its approval by the Governor, and that all Acts or parts of Acts inconsistent with Act be, and are hereby, repealed.

A public Act.

Section 48. The State Board of Control elected under this Act shall not take charge until first of April, 1896.

State Board of
Control goes
into office.

Approved the sixth day of March, A. D. 1896.

No. 62.

AN ACT to Require the State Treasurer to Transmit Monthly to the State Board of Control Monthly Statements.

No. 197.

Section 1. Be it enacted by the General Assembly of the State of South Carolina, That from and after the passage of this Act, in order to facilitate the keeping of the accounts of the State Dispensary, it shall be the duty of the State Treasurer on the first days of each and every month to transmit to the State Board of Control a statement of all

State Treas-
urer to make
monthly reports
to Board of
Control.

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moneys received by him upon account of the State Dispensary during the preceding month, and a statement of all Dispensary warrants paid by him during said month, said statement to contain the number and amount of all warrants so paid, their dates and the names of the payees, together with a statement of the balance in the State Treasury to the credit of the State Dispensary on the first day of said month.

Approved the ninth day of March, A. D. 1896.

No. 63.

No. 184. AN ACT to Declare the Free School Law of the State.

State Superintendent of Education; his election; bond; salary.

Section 1. Be it enacted by the General Assembly of the State of South Carolina, The State Superintendent of Education shall be elected at each general election in the same manner as other State officers, and shall enter upon the duties of his office at the time prescribed by law. Before entering upon the duties of his office he shall give bond for the use of the State of South Carolina in the penal sum of five thousand (\$5,000) dollars, with good and sufficient sureties, to be approved by the Governor, conditioned for the faithful and impartial performance of the duties of his office; and he shall also at the time of giving bond take and subscribe the oath prescribed in Section 26 of Article III of the Constitution of the State, which shall be endorsed upon the back of said bond; and the bond shall be filed with and preserved by the Secretary of State. The Superintendent of Education shall receive as compensation for his services the sum of nineteen hundred dollars per annum, payable monthly out of the State Treasury; and his traveling expenses, not exceeding three hundred dollars, shall be paid out of the State Treasury upon duly itemized accounts rendered by him.

Duties of.

Section 2. He shall have general supervision over all the schools of the State supported in whole or in part from the public school funds, and it shall be his duty to visit every County in the State as often as practicable for the purpose of inspecting the schools, awakening an interest

favorable to the cause of education, and diffusing as widely as possible by public addresses and personal communications with school officers, teachers and parents a knowledge of existing defects and of desirable improvements in the government and instruction of the said schools. He shall secure, by and with the advice of the State Board of Education, uniformity in the use of text books throughout the free public schools of the State, and shall forbid the use of sectarian or partisan books and instruction in said schools. He shall prepare and transmit to the several County Superintendents of Education school registers, blank certificates, reports and such other suitable blanks, forms and printed instructions as may be necessary to aid school officers and teachers in making their reports and carrying into full effect the various provisions of the school laws of this State; and shall cause the law relating to the free public schools, with such rules, regulations, forms and instructions as shall be legally prescribed, to be printed, together with a suitable index, in pamphlet form, at the expense of the State; and he shall cause copies of the same to be transmitted to the several County Superintendents of Education for distribution. He shall collect in his office such school books, apparatuses, maps and charts as can be obtained. He may certify copies of all papers filed in his office, and such certified copies shall be competent evidence thereof.

Section 3. He shall make a report through the Governor to the General Assembly at each regular session thereof, showing: 1st. The whole number of pupils registered in and the number enrolled as hereinafter defined in the free common schools of this State during the year ending the thirtieth day of the last preceding June, and the number in each County registered in and the number enrolled as hereinafter defined during the same period. 2d. The number of whites and the number of colored of each sex attending the said schools. 3d. The number of free schools in the State. 4th. The number of pupils studying each of the branches taught. 5th. The average wages paid to teachers of each sex and to the principals of schools and departments in said schools. 6th. The number of school houses erected during the year, and the location, material and cost thereof. 7th. The number previously erected, and the material of their construction, and their condition and value, and the

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To report to
General Assembly.

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number with the grounds enclosed. 8th. The Counties in which Teachers Institutes were held and the number attending the Institutes in each County. 9th. Such other statistical information as he may deem important, together with such plans as he may have matured and the State Board of Education may have recommended for the management and improvement of the school fund and for the more perfect organization and efficiency of the free public schools. All State institutions of higher learning shall make an annual report on or before the first day of September of each year to the State Superintendent of Education, embracing a detailed account of the operations of such institutions, including the expenditure of the public moneys for the current scholastic year, which reports the State Superintendent of Education shall include in his annual report to the Legislature. All Acts or parts of Acts requiring annual reports to be made to other authorities are hereby repealed.

Salary of clerk.

Section 4. The sum of nine hundred dollars shall be allowed to the Superintendent of Education for the purpose of defraying the expenses of clerk hire in his office.

State Treasurer to hold any devise or bequest for State for educational purposes, &c.

Section 5. The State Treasurer shall take and hold in trust for the State any grant or devise of lands and any gift or bequest of money or other personal property made to him for educational purposes, all gifts to the State where the purpose is not designated, all escheated property, the net assets or funds of all estates or copartnerships in the hands of the Courts of the State where there have been no claimants for the same within the last seventy years, and other money coming into the Treasury of the State by reason of the twelfth Section of an Act entitled "An Act to provide a mode of distribution of the moneys as direct tax from the citizens of this State by the United States in trust to the State of South Carolina," approved the twenty-fourth day of December in the year eighteen hundred and ninety-one, together with such other means as the General Assembly may provide. The State Treasurer shall from time to time invest in bonds of this State or of the United States all such money in the name of the State, as a permanent State school fund, and shall pay out the income derived therefrom to the County or the Counties of the State as the same may be apportioned among said Counties by the State Board of Education: Provided, That no disposition shall be made of

any property, grant, devise, gift, or bequest, inconsistent with the purposes, conditions or terms thereof. For the faithful management of all property so received by the State Treasurer, he shall be responsible upon his bond to the State as for other funds received by him in his official capacity: Provided, however, That the Trustees of any school district of this State may take and hold in trust for their particular school district any property granted, devised, given or bequeathed to such school district, and apply the same in the interest of the schools of their district in such manner as in their judgment seems most conducive to the welfare of the schools when not otherwise directed by the terms of the grant, devise, gift or bequest: And provided, further, That before said Trustees shall assume control of any such grant, devise, gift or bequest they shall give a bond, to be approved by the County Board of Education of the County in which such grant, devise, gift or bequest is made, conditioned for the faithful discharge of the trust reposed in them in respect to said property, which bond shall be deposited with the Clerk of the Court of said County. The said Trustees are hereby invested with the care and custody of all school houses or other school property belonging to their school districts, with full power to control the same in such manner as they may think will best subserve the interest of the free public schools and the cause of education.

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Section 6. The State Superintendent of Education shall discharge such other duties as may be provided by law; and he shall deliver to his successor, within ten days after the expiration of his term of office, all books, papers, documents and other property belonging to his office.

Other duties.

Section 7. In case a vacancy occurs in the office of State Superintendent of Education, from any cause, such vacancy shall be filled by the Governor, by and with the advice and consent of the Senate, and the persons so appointed shall qualify within fifteen days from the date of such appointment, or else the office shall be deemed vacant. If the vacancy occur during the recess of the Senate, the Governor shall fill the same by appointment until the Senate can act thereon.

Vacancy, how filled.

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STATE BOARD OF EDUCATION.

State Board of
Education.

Section 8. The Governor, the Superintendent of Education, and seven persons to be appointed by the Governor, who shall hold office for four years, and until their successors may be appointed, unless sooner removed by the Governor, shall constitute the State Board of Education. Of this Board the Governor shall be ex officio Chairman, and the State Superintendent of Education shall be Secretary of the Board. The Secretary shall be custodian of its records, papers and effects, and shall keep minutes of its proceedings; and said records, papers and minutes shall be kept in the office of the State Superintendent of Education and shall be open to inspection by the public.

Meetings of
Board; compen-
sation.

Section 9. The said Board shall meet on the call of its Chairman, or upon the request of a majority of its members, at the office of the State Superintendent of Education, or at such other place as may be designated in the call. A majority of the Board shall constitute a quorum for transacting business. The official seal of the State Superintendent of Education shall be used for the authentication of the acts of the State Board. The members of the State Board of Education appointed by the Governor shall receive as compensation the same mileage and per diem as is provided for members of the General Assembly, not exceeding twenty days in any one year.

Advisory
Board to Super-
intendent of
Education, and
powers of in
cases of appeal.

Section 10. The State Board of Education shall constitute an advisory body, with whom the State Superintendent of Education shall have the right to consult when he is in doubt as to his official duty; and shall have power to review on appeal all decisions of the County Boards of Education, as hereinafter provided for. Appeals to the State Board of Education must be made through the County Boards of Education in writing, and must distinctly set forth the question of law as well as the facts of the case upon which the appeal is taken, and the decision of the State Board shall be final upon the matter at issue.

General pow-
ers of Board.

Section 11. The State Board of Education shall have power: 1st. To adopt rules and regulations not inconsistent with the laws of the State for its own government and for the government of the free public schools. 2d. To prescribe and enforce rules for the examination of teachers.

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3d. To prescribe a standard of proficiency before County Boards of Education which will entitle persons examined by such Boards to certificates as teachers. 4th. To prescribe and enforce the course of study in the free public schools. 5th. To prescribe and to enforce, as far as practicable, the use of a uniform series of text books in the free public schools of the State; to enter into an agreement with the publishers of the books prescribed, fixing the time of prescription and the price above which the books shall not be retailed during the period of prescription, and a rate of discount at not less than which the books shall be furnished to the retail dealers in this State; to require the publishers, in the discretion of the Board, to establish in each County one or more depositories of their books within the State at such place or places as the Board may designate and where such books may be obtained without delay; and to exact of the publishers a bond in the sum of not more than five thousand dollars conditioned for the faithful performance of the agreement and with a penalty of twenty-five dollars for each violation of the agreement, the form and execution of the bond to be approved by the Attorney-General of the State, which agreement and bond shall be deposited with the State Treasurer, all recoveries thereon to go into the State Treasury for school purposes: Provided, That the State Board of Education shall not have power, without permission of the General Assembly of the State, to change a text book within five (5) years from the date of its adoption, except for violation of the agreement entered into by its publisher with the State Board of Education, for which cause it may be changed by the said Board, and it shall be unlawful for any teacher drawing public school money to use any book not prescribed by the State Board of Education without the consent in writing of said Board. 6th. To grant State teachers' certificates and to revoke them for immoral or unprofessional conduct, profanity or evident unfitness for teaching. 7th. To review on appeal an order revoking a County certificate: Provided, That no certificate be required of examination or proficiency from any applicant for teachers in city schools of Charleston having diplomas from the Memminger Normal School in the city of Charleston, whether regular or extra teachers, but they shall be alone subjected to such examinations and conditions

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as may be required by the Board of Commissioners of the city public schools of Charleston. 8th. To award scholarships created by the General Assembly in the institutions of learning supported in whole or in part by the State.

Enrollment defined.

Section 12. No child shall be counted in the enrollment more than once, nor in more than one school district in any one school year, and the school officer charged with the duty of enrollment willfully violating this provision shall be guilty of a misdemeanor. The teacher or principal of every school shall keep and furnish annually to the Trustees of the school district a list of all pupils that have attended the school during the preceding scholastic year, showing the names of the pupils, their respective places of residence and the number of days each pupil has attended, which list shall be certified to the County Board of Education by said Trustees on or before the 1st day of August in every year.

County Superintendent of Education.

Section 13. At the expiration of the terms of office of the School Commissioners of the several Counties of the State, there shall be elected by the qualified electors of the County a County Superintendent of Education for each County, who shall hold his office for the term of two years and until his successor is elected and qualified. He shall, before being commissioned and entering upon the duties of his office, give bond to the State, for the use of the County in which he is elected, for educational purposes, in the penal sum of one thousand dollars, with good and sufficient sureties to be approved by the County Board of Commissioners, conditioned for the faithful and impartial discharge of the duties of his office, and shall take and subscribe the oath of office prescribed in Section 26, Article III, of the Constitution of this State, which he shall file in the office of the Secretary of State. When commissioned he shall immediately enter upon the discharge of his duties. His failure to qualify within thirty days after notice of his election shall create a vacancy.

Vacancies.

Section 14. The State Board of Education shall fill all vacancies in the office of County Superintendent of Education for the unexpired term.

Salaries of.

Section 15. The salary of the County Superintendent of Education of each County shall be the same as that now fixed or hereafter to be fixed by law for the School Com-

missioner thereof except in Chester County, in which the salary shall be five hundred dollars, payable monthly by the County Board of Commissioners out of the ordinary County funds; and he shall be allowed one hundred dollars per annum for traveling expenses, if so much be necessary, payable in the same manner, upon an itemized statement of such expenses being filed with said Board: Provided, Nothing shall be allowed for traveling expenses in the Counties of Saluda, Edgefield, Darlington and Berkeley.

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Section 16. It shall be the duty of each County Superintendent of Education to visit the schools in his County at least once in each year, and oftener if practicable, and to note the course and method of instruction and the branches taught, and to give such recommendation in the art of teaching and the method thereof in each school as shall be necessary, so that uniformity in the course of studies and method of instruction employed shall be secured as far as practicable in the schools of the several grades, respectively. He shall acquaint himself as far as practicable with the character and condition of each school, noting any deficiencies that may exist, either in the government of the school or the classification of its pupils or the method of instruction employed in the several branches, and shall make such suggestions in private to the teachers as to him shall appear necessary to the good order of the school and the progress of the pupils. He shall note the character and condition of the school houses, the sufficiency or insufficiency of the furniture, and shall make such suggestions to the several Boards of Trustees as in his opinion shall seem conducive to the comfort and progress of the several schools. It shall be the duty of each County Superintendent of Education to aid the teachers in all proper efforts to improve themselves in their profession. For this purpose he shall encourage the formation of associations of teachers for common improvement and conduct teachers' institutes. He shall attend the meetings of such associations and give such advice and instruction in regard to their conduct and management as in his judgment will contribute to their greater efficiency.

Duty to visit schools, &c.

Section 17. The County Superintendent of Education shall attend the annual settlement of the County Treasurer with the Comptroller-General.

Shall attend annual settlement of County Treasurer.

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Reports of;
what to contain.

Section 18. The annual report of the County Board of Education shall contain the complete statistics of all schools within his County supported in whole or in part from the public funds, as may be required of him by the State Superintendent of Education.

To report to
presiding
Judge; what.

Section 19. The County Superintendent of Education shall make an annual report of all claims filed, audited, allowed and ordered paid by them during each school year to the presiding Judge at the second term of the Court of General Sessions for each County which shall be held after the first day of January in each year, which report shall be submitted by said Judge to the grand jury for their examination: Provided, After examination the grand jury shall report thereon to the presiding Judge any matter growing out of or pertaining to said annual report which to them may seem worthy of the attention of the Court. The said report shall thereupon be filed by the Clerk of said Court, and kept as papers of said Court, for inspection by any citizen desirous of examining the same.

County to
furnish certain
things.

Section 20. The County Board of Commissioners of each County are authorized and required to furnish the County Board of Education of their County with a comfortable and convenient office and suitable office furniture, and to supply said office with fuel, lights, stationery, postage and such other incidentals as are necessary to the proper transaction of the legitimate business of his office.

Report to
County Treas-
urer all claims
approved.

Section 21. It shall be the duty of the County Superintendent of Education, on or before the fifteenth day of July in each year, to report to the County Treasurer, by school districts, all school claims approved by him for the school year last preceding, and the County Treasurer shall thereupon close the school accounts for that year, carrying over any balance to the credit of each school district of the then current fiscal year.

Register to be
kept.

Section 22. The County Superintendent of Education shall keep a register of all claims approved by him and of such other matters as the State Superintendent of Education shall require of him, and in the form prescribed by the State Superintendent.

What to furn-
ish the Trustees

Section 23. The County Superintendent of Education shall furnish the School Trustees of his County with copies of the reports made to him by the County Auditor and

County Treasurer as to the persons listed and paying poll tax, and shall aid the Trustees in making all proper corrections.

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Section 24. The County Superintendent of Education shall keep in their office a die, in a circular form, upon the centre of which shall be engraved, in capital letters, the word "seal," and on the circumference the proper words indicating the office, which shall be regarded as the seal of the office, and which the County Superintendent of Education shall be required to impress upon all papers issued from his office, and affix his name to such paper. And it shall be the duty of the County Board of Commissioners in each County to furnish the County Superintendent of Education of their respective Counties with such seal.

Seal of.

COUNTY BOARD OF EDUCATION.

Section 25. There shall be a County Board of Education in each County composed of the County Superintendent of Education and two other persons to be appointed by the State Board of Education, who shall hold office for the term of two years from the time of their appointment and until their successors shall be qualified, unless sooner removed by the State Board of Education. No person shall be appointed a member of the County Board of Education who is not competent to teach a first grade school.

County Board
of Education;
how appointed.

Section 26. The County Board of Education shall examine all candidates for the position of teacher and give to each person found qualified a certificate, setting forth the branches of learning he or she may be capable of teaching and the percentage attained in each branch; said certificate to be valid for a term of two years unless sooner revoked, and it may be renewed with or without examination, at the discretion of the Board, all of which shall be done under such regulations as the State Board of Education may prescribe. No teacher shall be employed in any of the free public schools without a certificate from the County Board of Education or the State Board of Education: Provided, That no examination as to qualification shall be made in the case of any applicant who produces a full diploma from any chartered college or university of this State or Memminger Normal School of Charleston and furnishes satisfactory evidence of good moral character. The two mem-

Duties of.

Teachers must
have certifi-
cates.

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bers of the Board appointed by the State Board of Education shall receive for the services rendered by them compensation at the rate of three dollars per diem for not exceeding seven days in each year and mileage of five cents for each mile of necessary travel, the same to be paid by the County Board of Commissioners out of the ordinary County funds.

What shall be taught.

Section 27. It shall be the duty of the County Board of Education and the Boards of Trustees hereinafter provided for to see that in every school under their care there shall be taught, as far as practicable, orthography, reading, writing, arithmetic, geography, English grammar, the elements of agriculture, history of the United States and of this State, the principles of the Constitution and laws of the United States and this State, morals and good behavior, algebra, physiology and hygiene, and especially as to the effects of alcoholic liquors and narcotics upon the human system, English literature, and such other branches as the State Board may from time to time direct.

Three mill tax.

Section 28. The County Boards of Education of the several Counties of this State shall levy an annual tax of three mills on the dollar upon all the taxable property in their respective Counties, which tax shall be collected at the same time and by the same officers as the other taxes for the same year, and shall be held in the County treasury of the respective Counties; and on the first day of July of each year, or as soon as practicable thereafter, the said fund shall be apportioned by the said County Boards respectively among the school districts of their respective Counties in proportion to the number of pupils enrolled in the public schools of such school districts; and the said County Boards shall ascertain the amount of poll taxes collected in and for each school district of their respective Counties, and shall notify the County Treasurer and the Trustees of each school district of the amount of such poll taxes, as well as of the amount of the aforesaid fund apportioned by them to each school district.

How distributed and expended.

The school funds of each school district shall be distributed and expended by the Board of Trustees for the best interests of the school district, according to the judgment of the Board of Trustees, on their warrant approved by the County Superintendent of Education. For the purpose of

said apportionment pupils shall not be deemed enrolled until after an attendance of at least ten school days during the preceding scholastic year: Provided, That the apportionment of funds until the expiration of the fiscal year of 1896 shall be as now provided by law.

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Section 29. The County Board of Education shall constitute an advisory body with whom the County Superintendent of Education shall have the right to consult when he is in doubt as to his official duty, and also a tribunal for determining any matter of local controversy in reference to the construction or administration of the school laws, with the power to summon witnesses and take testimony if necessary, and when they have made a decision said decision shall be binding upon the parties to the controversy: Provided, That either of the parties shall have the right to appeal to the State Board of Education, and said appeal shall be made through the County Board of Education in writing, and shall distinctly set forth the question in dispute, the decision of the County Board and the testimony as agreed upon by the parties to the controversy, or, if they fail to agree, upon the testimony as reported by the County Board.

Advisory
Board to County
Superintendent.

Powers of in
cases of appeal.

Section 30. The County Board of Education shall meet for the purpose of examining applicants for teachers certificates, and the transaction of other business, at least twice a year, at such places and at such times as the State Board of Education shall appoint. The County Superintendent shall be Chairman and Clerk of the Board, and shall keep a fair record of their proceedings, and register of the name, age, sex, color, residence and date of certificate of each person to whom a certificate is issued, and in case the certificate be cancelled shall make a proper entry of the same. The Board shall have power to revoke any certificate granted by them, for immoral or improper conduct, or evident unfitness for teaching. The Board shall hold as many additional meetings during the year as the interest of the free public schools of the County may require, subject to regulations prescribed by the State Board of Education.

Meetings of
and duties of.

Section 31. The County Boards of Education shall divide their Counties into convenient school districts, as compact in form as practicable, having regard to natural boundaries,

Countries to be
divided into
school districts.

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and not to exceed forty-nine nor be less than nine square miles in area: Provided, That in cities of ten thousand inhabitants and over this limitation of area shall not apply: Provided, further, That when any school district laid out under this Section shall embrace cities or towns already organized into special school districts in which graded school buildings have been erected by the issue of bonds, or by special taxation, or by donation, all the territory included in said school district shall bear its just proportion of any tax that may be levied to liquidate such bonds or support the public schools therein. The present division of the Counties into school districts shall remain until changed by the County Boards of Education. The County Boards of Education are authorized and empowered to make contracts for the purpose of dividing their Counties into proper school districts, and to provide for the payment of the expenses thereof out of the school funds of the County. Every school district now organized, or to be hereafter organized in pursuance of this Section, is, and shall be, a body politic and corporate, by the name and style of School District No. — (such number as may be designated by the County Board of Education) of _____ County, (the name of the County in which the district is situated) the State of South Carolina, and in that name may sue and be sued, and be capable of contracting and being contracted with to the extent of their school fund, and holding such real and personal estate as it may come into possession of, by will or otherwise, or as is authorized by law to be purchased, all of which shall be used exclusively for school purposes.

Board of Trustees.

Section 32. Each school district shall be under the management and control of the Board of Trustees hereinafter provided for, subject to the supervision of the County Board of Education.

School districts made tax districts.

Section 33. The school districts of the several Counties of the State are hereby made and declared to be the divisions of the Counties for taxation for all school purposes.

Supplemental tax; how levied and collected.

Section 34. That the voters of any school districts who return real or personal property of the value of one hundred dollars for taxation are authorized to levy and collect an annual tax to supplement any Constitutional or other tax for like purposes; and all electors voting in such election

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imposing such extra levy of tax for school purposes shall exhibit their tax receipts and registration certificates as required in other general elections; and for said purposes the Trustees of said school districts, upon the written request of six resident freeholders of the age of twenty-one years, shall call a public meeting of said taxpayers at any time before the first day of June of any fiscal year, which meeting must be advertised in a newspaper published in such city, incorporated town or village, once a week for two weeks, or posted in three conspicuous places in such school district for said length of time; and when assembled a ballot shall be had, and if a majority shall vote to levy such special tax, not exceeding four mills, the Trustees shall, after having notice of same posted in at least three public places within the district for not less than ten days, order an election, at which election only such taxpayers as above mentioned shall vote. That within ten days after such election, if a majority of those voting shall vote for such levy, the Board of Trustees shall furnish the County Auditor with a statement of the amount so levied, and the Auditor shall enter the same in the tax duplicates, and he shall annually each year thereafter enter said amount in the tax duplicates, until the same is increased, decreased or repealed by said taxpayers, at a meeting called for that purpose, and he is notified that the same has been increased, decreased or repealed, and, if increased or decreased, he shall annually enter it as before, which meeting shall be called and notice given in the same way and manner as is herein provided for the calling of meetings to make the levy and the giving of the notice that it has been made, and the County Treasurer shall collect the same as other County and State taxes. Such levy shall be a lien on the property in such school district, which shall be subject thereto in case of default of payment. That said tax so collected shall be paid out by the County Treasurer upon warrants drawn by the Board of Trustees, countersigned by the County Superintendent of Education: Provided, That any surplus of such levy remaining in the hands of the County Treasurer at the expiration of any fiscal year shall be paid out as other school funds of the district. Each taxpayer, when he pays any tax for school purposes voted under the provisions of this Section, shall have the right to designate to which school

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in said school district he wishes the money paid by him to go; and the Treasurer shall keep a note of such designation, and the money be applied as thus designated. When no designation is made by the taxpayer at the time of such payment the money shall be expended as other school funds in such district: Provided, That nothing herein contained shall be construed to change the manner now provided by law for the collection and paying out of special taxes in any school district now established by any special Act of the General Assembly and organized thereunder.

Local of special
school districts.

Section 35. That whenever it shall happen that by reason of the location of special school districts portions of two adjacent Counties should for convenience be included in one school district, the County Boards of Education of such Counties are hereby authorized and directed in joint conference to make such regulations as will enable such sections to be established into a separate school district.

How School
Trustees shall
be elected; term
of office, &c.

Section 36. Each County Board of Education on the first Tuesday of July, 1896, and on the first Tuesday in July in every two years thereafter shall appoint for each school district in their County three School Trustees from the qualified electors and taxpayers residing within the district, who shall hold their office for two years, and until their successors are appointed and qualified, unless sooner removed by the County Board of Education. The County Board of Education shall have power to fill, from time to time, all vacancies in Boards of Trustees. The School Trustees shall meet as a Board, as soon and as often as practicable, after having been appointed and qualified, at such place as may be most convenient in the district, and at their first meeting they shall organize by electing one of their number Chairman of the Board, who shall preside at the official meetings of the Board, and another clerk of the Board, who shall record their proceedings in a book provided for that purpose. Each member of the Board of Trustees shall be duly notified of all meetings of the Board by the clerk of the Board. The terms of office of all Trustees now in office shall expire on the 31st day of December, 1896: Provided, That the foregoing provisions of this Section shall not apply to special and graded school districts created by special Acts, but that the Trustees and School Commissioners of all special and graded school districts

Not to apply to
graded schools
or schools under
special Acts.

shall remain the same in number and shall be elected or appointed in the same manner, and shall hold office for the same time as is provided for in the respective special Acts, except that in the special schools districts where the Trustees or their successors are appointed by the State Superintendent of Education under the provisions of the special Acts the Trustees shall hold office until the first Tuesday in July, 1896, on which day and on the same day every two years thereafter the Trustees shall be elected by the qualified electors of such school district. The election of all Trustees for all such school districts shall be by ballot and shall be conducted under the supervision of three qualified electors residing within the district who shall be appointed by the County Board of Education at least ten days prior to the holding of the election. The Manager shall report the result of the election to the County Board of Education within ten days thereafter, which Board shall commission the Trustees so elected. The Board of Trustees of each special or graded school district shall elect from their number a Chairman, who shall preside at their meetings, and a Secretary, or a Secretary and Treasurer, who shall record the proceedings of the Board and who shall keep a full and accurate account of all moneys received and expended, showing the source and disposition of each item, and who shall make a complete itemized report of the receipts and disbursements for each scholastic year to the County Superintendent of Education on or before the fifteenth day of July of each year. The books and vouchers of the Secretary and Treasurer shall be open at all times to inspection by the public. No Trustees of any public school district or any graded school district shall be a Trustee of, or stockholder in, any private or other school or institution for higher education in this State.

Section 37. The Board of Trustees in each school district shall take the management and control of the local educational interests of the same and shall visit each school district at least once in every school term, and shall be subject to the supervision and orders of the County Board of Education.

Section 38. The Board of Trustees shall hold a regular session in their school districts at least two weeks before the commencement of any or every school term for the

A. D. 1896.

Duty of Board
of Trustees.

Regular ses-
sion of.

A. D. 1896.

transaction of any and all business necessary to the prosperity of the schools, with power to adjourn from time to time and to hold special meetings at any time or place when called upon by the Chairman or any two members of the Board.

Power to sell school property.

Section 39. The School Trustees of the several school districts are authorized and empowered to sell any school property, real or personal, in their school districts whenever they deem it expedient to do so, and to apply the proceeds of sale or sales to the school fund of the district wherein such sale is made: Provided, That the consent of the County Board of Education be first obtained by the Trustees desiring to make such sale. That it shall be the duty of the said Board of Trustees, within thirty days after said sale, to enclose a report of the same to the County Board of Education, setting forth the terms and amount of said sale.

Transfer of pupils; when and how made.

Section 40. When it shall so happen that persons are so situated as to be better accommodated at the school of an adjoining school district, whether special or otherwise, the Board of Trustees of the school district in which such persons reside may transfer such persons for education to the school district in which such school is located; and the Trustees of the school district where the school is located shall receive such persons into the school as though they resided within the district: Provided, That children shall not be transferred from a school district in one County to a school district in an adjoining County without the consent of the Board of Education of the respective Counties in which the transfer is made: Provided, further, That if any taxpayer pays taxes in two or more Counties he shall have the right to send his children to the school of any one of said Counties.

Reports of teachers; how and to whom made.

Section 41. Each school teacher shall make out and file with the clerk of the Board of Trustees at the expiration of each school month a full and complete report of the whole number of pupils admitted to the school during each month, distinguishing between male and female, the average attendance, the branches taught, the number of pupils engaged in studying each of said branches, and such statistics as he or she may be required to make by the County Board of Education: Provided, That whenever a teacher is un-

avoidably prevented from filing said report at the expiration of any school month, the Board of School Trustees may have authority to receive the report within a reasonable time thereafter, if, in their opinion, the reasons for the delay are good and sufficient. On the filing of the teacher's report and its approval by the Board of Trustees, their clerk shall draw an order in duplicate on the County Treasurer for the amount due such teacher, which shall be signed by the Board, which order if accompanied by a copy of said monthly report and approved by the County Superintendent of Education shall be countersigned by him and the duplicate filed in his office.

A. D. 1890.

Section 42. All claims, of every description whatsoever, which are chargeable against the fund raised for the support of the free public schools of the State, except such as are otherwise provided for by law, must be signed by at least a majority of the Board of Trustees of the school district against which the claims are chargeable; and the correctness and legality of the same shall be sworn to and subscribed by the person presenting such claim before it shall be approved by the person or persons authorized by law to give such approval. School Trustees and County Superintendents of Education shall, free of charge, administer oaths to persons presenting the claims contemplated by this Section.

Claims, how
and by whom
signed.

Section 43. It shall be unlawful for a School Trustee to receive pay as a teacher of a free public school.

Trustee not to
secure pay as a
teacher.

Section 44. The Board of Trustees shall also have authority, and it shall be their duty:

1st. To provide suitable school houses in their districts, and to make the same comfortable, paying due regard to any school house already built or site procured, as well as to all other circumstances proper to be considered so as best to promote the educational interests of their district.

Trustees to
provide school
houses.

2nd. To employ teachers from those having certificates from their County Board of Examiners or from the State Board of Education, and fix their salaries, and to discharge the same when good and sufficient reasons for so doing present themselves, subject to the supervision of the County Board of Education.

Employ teach-
ers.

3rd. To suspend or dismiss pupils when the best interest of the schools make it necessary.

Suspend or
dismiss pupils.

A. D. 1896.
 Call meetings
 for consultation

4th. To call meetings of the qualified electors of the district for consultation in regard to the school interests thereof; at which meetings the Chairman or other member of the Board shall preside, if present.

Control school
 property.

5th. To take care of, manage and control the school property of the district.

Visit the schools

6th. To visit the free public schools within their district from time to time, and to take care that they are conducted according to law and with the utmost efficiency.

Ferriage of.

7th. They shall be allowed to cross all bridges or ferries free of charge when they are traveling on official business.

MISCELLANEOUS.

Tax returns.

Section 45. The County Auditor shall require each taxpayer to return the number and name of the school district in which he resides when he makes his tax return, and the Auditor shall state the same in a separate column in the tax duplicates.

Poll tax, &c.,
 to be reported.

Section 46. The County Auditor when he has completed the tax duplicates shall report to the County Superintendent of Education, by school districts, the names listed for poll tax, and the amount of taxable property where there is a special levy.

Poll tax re-
 tained in the
 County.

Section 47. The several County Treasurers shall retain the poll tax collected in their respective Counties; and it is hereby made the duty of the said Treasurer in collecting the poll tax to keep an account of the exact amount of said tax collected in each school district in his County, and the poll tax collected therein shall be expended for school purposes in the school district from which it was collected; and any violation of this Section by the County Treasurer shall constitute, and is hereby declared, a misdemeanor, and on conviction thereof the said County Treasurer shall pay a fine of not more than five hundred dollars, to be used for school purposes in the County suffering from such violation, or imprisonment, in the discretion of the Court.

County Treas-
 urer to report
 who have paid
 poll tax.

Section 48. That each County Treasurer, when he has finished the collection of taxes for his County, shall report to the County Superintendent of Education the names of the persons in the respective school district who have paid their poll tax.

Section 49. It shall be the duty of each County Treasurer to report monthly, on the fifteenth day of each month, to the County Superintendent of Education of his County the amount of collections and disbursements made by him for the month on account of school tax and all other school funds; and it shall be a misdemeanor on the part of any County Treasurer to neglect, fail or refuse to make such report, and on conviction thereof he shall pay a fine of not more than five hundred dollars, the same to be used for school purposes in his County.

A. D. 1896.

To make
monthly reports
to County Su-
perintendent of
Education.

Section 50. All moneys disbursed by any County Treasurer on account of school funds, taxes or other school funds shall be paid on the order of the Board of School Trustees, countersigned by the County Superintendent of Education or as otherwise directed by law.

Moneys, how
disbursed.

Section 51. Each County Treasurer shall make out and forward to the State Superintendent of Education annually on the first day of November a certified statement showing (by school districts) the amount of poll tax and the amount of all other school taxes collected by him for the fiscal year ending on the 31st day of December next preceding; and should any County Treasurer fail or neglect or refuse to make and forward the statement as herein required, the State Superintendent of Education shall make a written complaint to the Circuit Solicitor for the County in which the said Treasurer resides, who shall prosecute the said County Treasurer for the same, and on conviction thereof he shall be subject to a fine not more than five hundred dollars, the same to be used for free public school purposes in his County.

County Treas-
urer to make a
report to Super-
intendent.

Section 52. The County Treasurer shall carry forward all sums in his hands collected for any previous year or years for school purposes and unexpended to the next fiscal year and credit the same to the school district respectively for which it was apportioned, and he shall report the same to the County Superintendent of Education.

Unexpended
balances to be
carried forward

Section 53. It shall be unlawful for any County Treasurer, County Auditor, member of County Board of Education or School Trustee to buy, discount or shave, directly or indirectly, or be in any way interested in, any teachers pay certificate or other order on the school fund except such as are payable to him for his own services. If any of the offi-

Certain offi-
cers not to dis-
count teachers
pay certificates.

A. D. 1896.

cers aforesaid shall violate the provisions of this Section he shall be deemed guilty of a misdemeanor and on conviction thereof shall pay a fine of not less than five hundred dollars nor more than two thousand dollars, to be used for school purposes in his County, and shall be imprisoned at the discretion of the Court, or either or both, and shall forfeit the amount of such claim or of his interest in such claim. And the County Board of Education shall regulate the opening and closing of the school terms so as best to promote and subserve the educational interest of the different sections of their Counties: Provided, That all contracts which Boards of Trustees may make in excess of the funds apportioned to their district shall be void.

Age of attendance.

Section 54. It shall not be lawful for any person who is less than six or more than twenty-one years of age to attend any of the free public schools of this State.

State and County Boards exempted from militia duty. Trustees from road duty.

Section 55. The members of the State Board of Education appointed by the Governor, members of the County Boards of Education appointed by the State Board of Education and members of the Boards of Trustees shall be exempt from militia duty, and members of the Boards of Trustees shall also be exempt from road duty.

Penalty for attempting to discharge duties of office after removal.

Section 56. If a member of any County Board of Education in any County of the State, or a Trustee of any school district, shall attempt to act or discharge the duties of either of said officers after he shall have been removed, or after his successor shall have qualified, he shall be deemed guilty of a misdemeanor, and after conviction be punished by a fine of not less than one hundred and one dollars or imprisonment for not less than thirty-one days, or both, at the discretion of the Court.

School officers prohibited from being agent for school books.

Section 57. That it shall be unlawful for any teacher of a school supported in whole or in part from the public school funds of this State, or any Trustee of any such school, or any other school officer, to become an active or silent agent of any school book publisher, or be in any wise pecuniarily interested in the introduction of any school book or books into any school in this State. Any person violating any of the provisions hereof shall, upon conviction thereof, be deemed guilty of a misdemeanor, and be subject to a fine of not less than one hundred dollars or imprisonment in the

County jail for a period of not less than thirty days, or both, at the discretion of the Circuit Judge.

A. D. 1806.

Section 58. It shall be unlawful for pupils of one race to attend the schools provided by Boards of Trustees for persons of another race.

Mixed schools unlawful.

Section 59. That should the amount raised by the three mill tax and the poll tax and the net income to the State from the sale or license for the sale of alcoholic liquors for school purposes not yield at any time within the next three fiscal years, beginning with January 1st, 1896, an amount equal to three dollars per capita of the number of children enrolled in the public schools of each County for the scholastic year ending October 31, 1895, as it appears in the report of the State Superintendent of Education for such scholastic year, the Comptroller-General shall for the three next ensuing fiscal years, on the first day of each year, levy such an annual tax on the taxable property of the State as he may determine to be necessary to make up such deficiency, to be collected in the same manner as other State taxes, and apportion the same among the Counties of the State in proportion to the respective deficiencies therein. The sum so apportioned shall be paid by the State Treasurer to the County Treasurers of the respective Counties in proportion to the respective deficiencies therein on the warrant of the Comptroller-General, and it shall be apportioned among the school districts of the Counties and be disbursed as other school funds; and from and after the 31st day of December, 1898, the General Assembly shall cause to be levied annually on all the taxable property of the State such a tax in addition to the three-mill tax and poll tax, together with the net income for school purposes from the sale or license for the sale of alcoholic liquors, as may be necessary to keep the schools open throughout the State for a period of not less than five months in each scholastic year, such tax to be apportioned among the Counties in proportion to their deficiencies and be disbursed as other funds.

If 3 mill tax does not raise three dollars per capita, how deficiency to be raised.

Section 60. The scholastic year shall begin on the first day of July of each year and end on the thirtieth day of June following.

Scholastic year.

Section 61. The State Superintendent of Education may advertise for bids for all printing required under this Act, and shall let the same to the lowest bidder therefor, who

Printing.

A. D. 1896.

shall be required to file with his bid a bond in double the amount of his bid for the faithful performance of the contract.

Acts creating
special and
graded schools
not repealed.

Section 62. Nothing contained in this Act shall be construed to repeal the Act of the General Assembly creating special and graded school districts, and the provisions of said Acts shall apply to said school districts except the special graded school districts in the town of Blacksburg, which shall come under the provisions of this Act: Provided, That the Trustees of said school districts and Commissioners of the city schools of Charleston shall make annual reports to the State Superintendent of Education in such form and at such time as he shall prescribe: Provided, further, Whenever under the provisions of law any municipal corporation is authorized to levy a special tax for the support of public schools therein, any person not a resident of said municipal corporation shall be entitled to a credit upon fees for the tuition of his or her children by the amount of such special tax paid by such person.

Provisions of
Article 7, Chap-
ter XXV, Title
IX, of Vol. 1,
Revised Stat-
utes re-enacted.

Section 63. That the provisions of Article 7, Chapter XXV, Title IX, of Volume 1 of the Revised Statutes, relating to city of Charleston and the schools therein, being 1091 and 1094 inclusive, are hereby re-enacted and confirmed: Provided, That no general or special School Trustees shall hereafter employ any teacher who has not a certificate to teach in the free public schools of the State. This provision, however, not to affect the employment of any teacher now teaching in any of the schools of the special school districts: Provided, further, That the Trustees of any such school shall always have the right and power to impose any additional examinations and qualifications they may deem proper before or after employing any teachers: Provided, also, That all funds of the free public schools of this State other than those arising from the special levy of special school districts shall be paid out of the County treasury upon warrants duly vouched by the School Trustees of the respective schools or school districts or otherwise as provided by the laws governing any special school district.

Officers and
Trustees of cer-
tain institutions
to report to State
Superintendent.

Section 64. The trustees, officers or persons in charge of all literary, scientific or professional institutions of learning incorporated, supported or aided by the State, of all

schools or private educational institutions, shall on or before the fifteenth day of July in each year make a report in writing to the State Superintendent of Education of such statistics as the Superintendent shall prescribe relating to the number of pupils and instructors, courses of study, cost of tuition and the general condition of the institution or school under their charge.

A. D. 1896.

Section 65. The Superintendent shall prepare blank forms of inquiry for such statistics, and shall send the same to every such institution or school on or before the 10th day of May in each year; and so much of said information as he may deem proper be incorporated in his annual report.

Blank forms
of inquiry.

Approved the ninth day of March, A. D. 1896.

No. 64.

AN ACT Relating to the Scholarships in the Winthrop Normal and Industrial College. No. 158.

Section 1. Be it enacted by the General Assembly of the State of South Carolina, That the Board of Trustees of the Winthrop Normal and Industrial College shall have the authority to assign the scholarships provided for that institution by the General Assembly so that there may be given to a County as many scholarships as such County is entitled to members in the House of Representatives at forty-four dollars each, instead of one scholarship at one hundred and fifty dollars as at present. These scholarships shall be awarded upon competitive examination by the State Board of Education.

Scholarships
in Winthrop
Normal College.

Section 2. That all Acts and parts of Acts contrary to this Act shall be, and the same are hereby, repealed.

Approved the ninth day of March, A. D. 1896.

No. 65.

AN ACT Relating to the Severance of Claflin College from Claflin University and the Establishment of a Normal, Industrial, Agricultural and Mechanical College for the Colored Race. No. 76.

Section 1. Be it enacted by the General Assembly of the State of South Carolina, That Claflin College be, and is hereby, severed from Claflin University: Provided, That

Claflin College
severed from
Claflin University.

A. D. 1896.

this severance shall not operate so as to interfere with the teaching and instruction, now being given, during the present session, which closes in the month of May of this year.

Establishment
of the Colored
Normal, Industrial and Mechanical College of South Carolina.

Section 2. That during the year A. D. eighteen hundred and ninety-six there shall be established within this State a Normal, Industrial, Agricultural and Mechanical College for the higher education of the colored youth of the State, and that said college shall be known as the Colored Normal, Industrial, Agricultural and Mechanical College of South Carolina.

A branch of
the S. C. Col-
lege; Trustees
of, &c.

Section 3. That the Colored Normal, Industrial, Agricultural and Mechanical College of South Carolina shall be a branch of the University of South Carolina, but shall be under the management and control of a separate Board of Trustees composed of seven members, six of whom shall be elected by the General Assembly, whose term of office shall be six years. But the General Assembly shall at its present session elect two of said Trustees for two years, two for four years, and two for six years, so that two of them shall go out of office every two years. The Governor of the State shall be ex officio the seventh member of said Board of Trustees.

Trustees of
S. C. College to
turn over, &c.

Section 4. That the Board of Trustees of the South Carolina College, now in control of the property belonging to Claflin College, shall turn over to the Board of Trustees of the Colored Normal, Industrial, Agricultural and Mechanical College of South Carolina all of the real and personal property belonging to Claflin College.

Duties and
powers of Trust-
tees.

Section 5. That the Board of Trustees of the Colored Normal, Industrial, Agricultural and Mechanical College of South Carolina are hereby fully authorized and empowered to take charge of, manage and control all of the real and personal property belonging to Claflin College, in whosoever hands or custody the same may be now or hereafter found, and shall hold the same in trust for the benefit and uses of the said Colored Normal, Industrial, Agricultural and Mechanical College of South Carolina.

Powers of
Trustees to
effect a separa-
tion with Claflin
University.

Section 6. That the Board of Trustees of the Colored Normal, Industrial, Agricultural and Mechanical College of South Carolina shall have, and are hereby given, full and ample power to do and to perform any and all acts whatsoever necessary to effect a complete and final separation of

the interests of the State from those of Claflin University, and, if found necessary to protect or promote the interests of the State, the authority here given shall authorize said Trustees to sell, purchase or exchange real estate.

A. D. 1896.

Section 7. That the Colored Normal, Industrial, Agricultural and Mechanical College of South Carolina shall have all the rights and privileges possessed by Claflin College, and be entitled to receive all the funds set apart for the support of Claflin College under the Acts of the General Assembly of this State, and the said College shall forever be, and remain, free and separate from Claflin University and all other colleges, schools or other institutions which are wholly or in part under the direction or control of any church or religious or sectarian denomination or society.

Rights and privileges of the College.

Section 8. That the Board of Trustees of the Colored Normal, Industrial, Agricultural and Mechanical College of South Carolina are authorized and empowered to provide all necessary suitable buildings upon a proper site for the purpose; to establish a course of study covering the normal, industrial, agricultural and mechanical sciences, and provide the necessary appliances for proper instruction in the same; and to select a proper corps of professors and instructors and fix their salaries. The Principal or President and corps of instructors shall be of the negro race.

Trustees to provide buildings, establish courses of study, &c.

Section 9. That the sum of five thousand (\$5,000) dollars be annually appropriated for five years for the purpose of erecting the necessary buildings and preparing buildings therefor, if so much be necessary; and that the authorities of the State Penitentiary be, and they are hereby, required to furnish, on the demand of the Board of Trustees of said College, forty able-bodied convicts to said Board of Trustees, the convicts to be used in erecting the necessary buildings, and to be transported, guarded, clothed, fed and attended free of any cost to the College, and to be returned to the Penitentiary when the buildings are completed.

Appropriation for buildings.

Section 10. That a majority of the whole Board of Trustees shall be necessary for the transaction of any business.

Majority.

Approved the third day of March, A. D. 1896.

A. D. 1896.

No. 66.

No. 98. AN ACT to Amend an Act Entitled "An Act to Incorporate Claflin University," Approved December 18th, 1869.

Section 1. Be it enacted by the General Assembly of the State of South Carolina, That Section 2 of an Act entitled "An Act to incorporate Claflin University," approved December 18, 1869, be amended on the 17th line of said Section between the words "University" and "and" by inserting the words "and shall be, and are hereby, empowered to sell, alien and convey by deed, under the corporate seal, any and all real and personal estate now vested in said corporation." So that said Section when so amended shall read as follows:

Powers of corporation to call meetings; establish boards of instruction.

Section 2. The said corporation shall have full power and authority to determine at what time and places their meetings shall be holden, and the manner of notifying the Trustees to convene at such meetings, and also to establish boards of instruction in all departments of science and the arts, to elect a President of said university, and such professors, tutors, instructors, and other university officers, as they shall judge for the interest thereof, and to determine the duties, salaries, emoluments, responsibilities and tenures of their respective offices. And the said corporation is further empowered to hold and control the buildings formerly known as the Orangeburg Female College, located in the town of Orangeburg, in the County of Orangeburg, and State of South Carolina, to be hereafter known as the Claflin University, with all lands and appurtenances which may be transferred to said corporation for the purpose of aiding and sustaining said institution in promoting the interest of education. This corporation may purchase or erect and keep in repair such houses and other buildings as they shall judge necessary for the said university. And shall be, and are hereby, empowered to sell, alien and convey by deed, under the corporate seal, any and all real and personal estate now vested in said corporation, and also to make and ordain, as occasion may require, reasonable rules, orders and by-laws, not repugnant to the Constitution and laws of this commonwealth, with reasonable penalties, for the good government of the said university, and for the regulation of their own body, and also to determine and

Elect instructors; hold buildings, &c.

regulate the courses of instruction and departments in said university, and to confer degrees: Provided, nevertheless, That no degrees shall be conferred except upon the recommendation of the appropriate Faculty and the approval of the Trustees.

A. D. 1896.

Approved the ninth day of March, A. D. 1896.

No. 67.

AN ACT to Regulate the Purchase of Books for the State Library. No. 69.

Section 1. Be it enacted by the General Assembly of the State of South Carolina, That the State Librarian be, and is hereby, authorized to purchase for the State Library such books and publications, and have such repairs and binding done, as the State Librarian, with the concurrence of the Governor and the Attorney-General, may deem necessary or advisable, and that the same be paid for out of any funds appropriated for that purpose.

Books for
State Library;
purchase of, &c.

Approved the second day of March, A. D. 1896.

No. 68.

AN ACT to Amend Section 2 of an Act Entitled "An Act to Repeal an Act Entitled 'An Act to Provide for the Appointment of County Boards of Physicians to Examine the Diplomas of Physicians and Surgeons in This State, Approved December 24th, 1890,' and to Establish in Lieu of Said Boards a State Examining Board and to Define the Duties and Powers Thereof," Approved January 4th, A. D. 1894. No. 107.

Section 1. Be it enacted by the General Assembly of the State of South Carolina, That Section 2 of an Act entitled "An Act to repeal an Act entitled 'An Act to provide for the appointment of County Boards of Physicians to examine the diplomas of physicians and surgeons in this State, approved December 24th, 1890,' and to establish in lieu of said Boards a State Examining Board and to define the duties and powers thereof," approved January 4th, A. D.

A. D. 1896.

1894, be, and the same is hereby, amended by striking out the words "fourth Tuesday in April," on line two of said Section, and insert in lieu thereof the words "third Tuesday in May." So that said Section when amended shall read as follows:

Meeting of
State Board of
Examiners;
duty of, &c.

Section 2. That said Board of Medical Examiners shall meet at Columbia, South Carolina, on the third Tuesday in May each year, and at their first meeting organize by the election of a Chairman and a Secretary, who shall also be Treasurer; and said Board shall have power to call extra meetings when necessary. It shall be the duty of said Board when organized to examine all applicants for examination who hold diplomas from any medical colleges or schools, and to pass upon their qualifications and fitness to practice medicine in this State, and to give to each successful applicant a certificate to that effect, upon the payment of five dollars to the Treasurer of said Board. Said Board shall keep a record of all the proceedings thereof, and also a record or register of all applicants for a license, together with his or her age, time spent in the study of medicine, and the name and locations of all institutions granting such applicants degrees or certificates of lectures in medicine or surgery. Said books and register shall be prima facie evidence of all the matters therein recorded.

Approved the ninth day of March, A. D. 1896.

No. 69.

No. 21. AN ACT to Amend an Act Entitled "An Act to Establish Local Boards of Health in the Cities and Incorporated Towns of the State and to Define the Powers Thereof," Approved January 5, 1895.

Section 1. Be it enacted by the General Assembly of the State of South Carolina, That Section 1 of "An Act to establish local Boards of Health in the cities and incorporated towns of the State and to define the powers thereof," approved January 5, 1895, be, and the same is hereby, amended; (2) adding after the word "years" in the 20th line thereof these provisos: Provided, however, That in all cases of vacancies on said Board occurring from any cause at any

time said vacancies shall be filled by appointment for the unexpired term or terms as aforesaid; and by (2) inserting between the words "the" and "town" on the 27th line thereof the words "city or." So that said Section 1 as amended shall read as follows:

A. D. 1896.

Section 1. Be it enacted by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That it shall be the duty of the Mayor or Intendant of every incorporated city, town or village in the State of South Carolina within six months after the passage of this Act to call an election by the freeholders of such city or town to elect five persons, not members of such Council, in towns of five thousand or less population, and in cities exceeding five thousand in population the number may be increased to twenty, as the City Council may determine, one or more of whom shall be a reputable physician of not less than two years' standing in the practice of his profession. At the first election the Mayor or Intendant of said city or town shall designate one-fifth of the members of the Board to serve for one year, one-fifth to serve two years, one-fifth to serve three years, one-fifth to serve four years, and one-fifth to serve for five years, and thereafter one-fifth of the members of said Board shall be elected annually to serve for five years: Provided, however, That in all cases of vacancies on said Board occurring from any cause at any time said vacancies shall be filled by appointment for the unexpired term or terms as aforesaid. The Board shall be elected by districts, to be fixed by the City or Town Council, representing as nearly as may be all parts of said city, town or village. The members shall serve without compensation; and in case any one of them, after accepting and being duly elected, shall refuse to qualify and serve on this Board, he shall be subject to a fine of twenty-five dollars, to be imposed or collected by the City or Town Council: Provided, That the provisions of this Act and of the Act entitled "An Act to establish local Boards of Health in the cities and incorporated towns of the State and to define the powers thereof," approved January the fifth, 1895, shall not apply to towns of less than one thousand inhabitants.

Local Boards of Health; how elected in towns less than 5,000 inhabitants.

Not to apply to towns of less than 1,000 inhabitants.

Approved the twenty-fifth day of February, A. D. 1896.

A. D. 1896.

No. 70.

No. 12. AN ACT to Change the Name of the State Lunatic Asylum to That of the State Hospital for the Insane.

Section 1. Be it enacted by the General Assembly of the State of South Carolina, That from and after the passage of this Act the institution heretofore known and styled the State Lunatic Asylum shall be known and called the State Hospital for the Insane.

State Hospital
for the Insane.

Approved the eleventh day of February, A. D. 1896.

No. 71.

No. 90. AN ACT to Amend Section 5 of an Act Entitled "An Act to Further Regulate and Provide for the Admission and Discharge of Patients to the Lunatic Asylum and Promote the Management of the Same," Approved Dec. 24th, 1894.

Section 1. Be it enacted by the General Assembly of the State of South Carolina, That Section 5 of an Act entitled "An Act to provide for the admission and discharge of patients to the Lunatic Asylum and promote the management of the same," be, and the same is hereby, amended by adding the following proviso at the end of said Section: Provided, That the Superintendent of the Lunatic Asylum, now known as the State Hospital for the Insane, shall receive into his custody and detain in said Hospital for a period not exceeding five days, without an order from the Judge of Probate, any person as insane whose case is duly certified to be one of violent and dangerous insanity and emergency by two reputable physicians, which certificates shall be separately signed and shall conform to all the requirements as now provided by law. In addition to such certificates, an application, signed by a Trial Justice, Mayor or Alderman, Intendant or Warden of the County, city or town in which such insane person resides or is found, shall be left with the Superintendent of said State Hospital for the Insane, and said application shall contain the answers to the list of interrogatories now in use by the Regents of said Hospital: Provided, further, That when such insane person is

Amendments.

A. D. 1896.

committed and received in said State Hospital for the Insane, the party committing such person shall give a bond in the sum of one hundred dollars to the Treasurer of said institution, with condition that he or she will within five days procure an order for the commitment of said patient as now provided for by law, and failing therein said insane person shall be removed or discharged by the Superintendent of said institution and suit brought by him (if he sees proper so to do) on said bond for the cost of maintenance of said person while confined." Also further amend by striking out in said Section 5 the following: "For the additional duties required of the Judge of Probate under the provisions of this Act, he shall be allowed the sum of two dollars additional to the amount now allowed by law," and insert: "For the duties required under the provisions of this Act of the Judge of Probate, he shall be allowed the sum of five dollars." Also amend said Section 5, line 38, after "Asylum" strike out the balance of said line, all of line 39 and all of line 40 down to and including the word "Supervisor" and insert the following in lieu thereof: "And the following fees and charges shall be paid for the conveying of such insane party: to the officer or person conveying said insane party, two dollars per day and twelve cents per mile one way, and out of which said mileage herein allowed shall be paid all the costs and expenses of said insane person. If it shall be necessary to employ a guard to assist in conveying such insane person, such guard shall receive one dollar per day and his actual railroad fare. Said charges shall be paid out of the County treasury on order of the Supervisor." So that said Section 5 shall read as follows:

Section 5. That when informed by the Superintendent that the person can be received as a patient into the Asylum, and on what terms, if any, and under what class, the Judge of Probate shall call two physicians to certify to the insanity of the person for the purpose of securing his or her commitment, as is provided for in Section 1784 of the Revised Statutes, Vol. 1. If the Judge of Probate believes that satisfactory evidence has been adduced to show the person to be insane, the Judge of Probate must make certificates as required by the Board of Regents and send to the Asylum the insane patient, with a certified copy of the certificate

Admission of
patients to the
Hospital for the
Insane regulat-
ed.

A. D. 1896.

Fees for conveying insane person to Hospital.

Fees of Probate Judge.

When Superintendent may receive patients; without order of Probate Judge.

committing him or her to the Asylum. The original certificate committing the insane patient to the Asylum shall be kept on file in the office of the Probate Court. The Judge of Probate shall depute the Sheriff or his deputies or other officers, or a friend or friends of the insane party, to carry him or her to the Asylum. And the following fees and charges shall be paid for the conveying of said insane party: to the officer or person conveying such insane party, two dollars per day and twelve cents per mile one way, and out of which said mileage herein allowed shall be paid all the costs and expenses of said insane person. If it shall be necessary to employ a guard in conveying such insane person, such guard shall receive one dollar per day and his actual railroad fare. Said charges shall be paid out of the County treasury on order of the Supervisor. For the duties required under the provisions of this Act of the Judge of Probate he shall be allowed the sum of five dollars: Provided, That the Superintendent of the Lunatic Asylum, now known as the State Hospital for the Insane, may receive into his custody and detain in said Hospital, for a period not exceeding five days, without an order from the Judge of Probate, any person as insane whose case is duly certified to be one of violent and dangerous insanity and emergency by two reputable physicians, which certificates shall be separately signed and shall conform to all the requirements as now provided by law. In addition to such certificates, an application, signed by a Magistrate of the County or the Mayor or Alderman, Intendant or Warden of the County, city or town in which such insane person resides or is found, shall be left with the Superintendent of said State Hospital for the Insane, and said application shall contain the answers to the list of interrogatories now in use by the Regents of said Hospital: Provided, further, That when such insane person is committed and received in said State Hospital for the Insane, the party committing such person shall give a bond in the sum of one hundred dollars to the Treasurer of said institution, with condition that he or she will within five days procure an order for the commitment of said patient as now provided by law, and failing therein said insane person shall be removed or discharged by the

Superintendent of said institution and suit brought by him (if he sees proper so to do) on said bond for the cost of maintenance of said person while confined.

A. D. 1896.

Approved the ninth day of March, A. D. 1896.

No. 72.

AN ACT to Limit the Time in Which Coupon Bonds Payable to Bearer and Their Coupons of the State May be Consolidated, Converted, Funded or Paid, and to Repeal Conflicting Laws. No. 45.

Section 1. Be it enacted by the General Assembly of the State of South Carolina, That after the approval of this Act, no coupon bond of this State payable to bearer nor any coupon thereof shall be consolidated, converted, funded or paid by the State Treasurer after the expiration of twenty years from the date of maturity of such bonds.

State Treasurer forbidden to pay bonds twenty years after maturity.

Section 2. That this Act shall take effect immediately after its approval; and all Acts and parts of Acts inconsistent with this Act are hereby repealed.

Approved the twenty-fifth day of February, A. D. 1896.

No. 73.

AN ACT to Amend an Act Entitled "An Act Regulating the Deposits of Interest Collected on Certain Bonds," Approved March 21, 1876. No. 46.

Section 1. Be it enacted by the General Assembly of the State of South Carolina, That Section 1 of an Act entitled "An Act regulating the deposits of interest collected on certain bonds," approved March 21, 1876, be amended by striking out on lines 15 and 16 the words "in the National Bank of Greenville," and inserting in lieu thereof the words "any one or more of the banks of Greenville," and by striking out on line 19 the words "in the National Bank of Spartanburg" and inserting in lieu thereof the words in any one or more of the banks of Spartanburg," and striking out the last sentence of said Section, so that said Section may read:

A. D. 1896.

Deposits of
certain interests
on bonds in
Greenville and
Spartanburg
County regulat-
ed.

Section 1. Be it enacted by the General Assembly of the State of South Carolina, That for the better regulating of the deposits of the interest collected on said bonds, the County Treasurers of Greenville and Spartanburg Counties be, and they are hereby, required, in addition to the duty of collecting a fund to meet the interest on the bonds aforesaid, to keep said fund so collected to meet the payment of the coupons as they become due separate and apart from all other funds collected by them in their respective Counties, and, as collected, to deposit the same as hereinafter designated, to the credit of said interest fund, to be applied to the payment of the coupons aforesaid due upon said bonds. That the funds collected to meet the interest on the said bonds of the County of Greenville shall, as collected, be deposited separate and apart by the Treasurer of Greenville County in any one or more of the banks of Greenville; and the fund collected to meet the interest on said bonds in the County of Spartanburg, as collected, be deposited separate and apart by the Treasurer of Spartanburg County in one or more of the banks of Spartanburg.

Approved the twenty-fifth day of February, A. D. 1896.

No. 74.

No. 44. AN ACT to Authorize the Sinking Fund Commission to Lend the Sinking Fund on the Security of the Valid State Bonds When the Bonds Cannot be Purchased at Par.

Sinking Fund
Commission to
lend fund, &c.

Section 1. Be it enacted by the General Assembly of the State of South Carolina, That the Sinking Fund Commission be, and are hereby, authorized when unable to purchase valid bonds of this State at par to lend the sinking fund at such a rate of interest as may be agreed upon between them and the borrower, not less than 4 1-2 per centum per annum, on the security of the said bonds, sufficient to cover the loan and interest at the par value of the bonds, the bonds to be deposited with the State Treasurer as security for the loan and as collateral to the personal obligation of the borrower, to be taken by said Commission, showing the terms and maturity of the loan.

Section 2. That this Act shall take effect immediately upon its approval.

Approved the twenty-fifth day of February, A. D. 1896.

No. 75.

A. D. 1896.

AN ACT to Amend the Law as Contained in Sections 939, 940, 943 and 950 of the Revised Statutes of 1893, Relating to Pensions.

No. 40.

Section 1. Be it enacted by the General Assembly of the State of South Carolina, That the law as contained in Section 939 of the Revised Statutes of 1893 be, and the same is hereby, amended so as to read as follows:

"Section 939. The following persons, soldiers and sailors, Pensions, to whom paid; amount. now residents of South Carolina, who were in the service of the State or of the Confederate States in the late war between the States shall be entitled to receive from the Treasurer of the State a monthly payment of eight, or six, or four dollars, to be paid in the manner and on the terms and conditions hereinafter set forth."

Section 2. That the law as contained in Section 940 of the Revised Statutes of 1893 be, and the same is hereby, amended so as to read as follows:

"Section 940. In order to obtain the benefit of this Chapter, such soldier or sailor must show: First. That he was a bona fide soldier or sailor in the service of the State of South Carolina or of the Confederate States in the war between the States. Second. That while in such service he lost a leg or arm, or received other bodily injury whereby he has become disabled. Third. That neither himself nor his wife is receiving an income exceeding the amount of two hundred and fifty dollars per annum; or that he shall show that he has reached the age of sixty years, and that neither himself nor his wife is receiving an annual income of one hundred dollars from any source: Provided, however, That the widows of Confederate soldiers and sailors now residents of this State, who have reached the age of sixty years and who are not receiving or enjoying the benefits of an annual income of one hundred dollars from any source, and the widows of soldiers and sailors as provided in Section 954 of the Revised Statutes of 1893 shall be entitled to receive the benefits of this Chapter. The word 'income' as above used shall be held to include the gross amount received as wages, salary or from any other source. The persons entitled to pensions under the provisions of this Act shall be paid the amounts hereinafter set forth, to wit:

What necessary to obtain a pension.

A. D. 1896.

Loss of both
arms or legs or
sight.One arm or
leg.Others entitled
to.Proviso as to
the appropria-
tion.

(a.) All soldiers and sailors who have lost both arms or both legs, or sight, or who are physically helpless, the sum of eight (8) dollars per month.

(b.) All soldiers and sailors who lost one arm or one leg in said service, the sum of six (6) dollars per month.

(c.) All other persons entitled to pensions under the provisions of this Act, the sum of four (4) dollars per month.

Provided, however, That should the sum provided by law for payment of pensions be found insufficient to pay all pensioners in full the State Board of Pensions shall be empowered to reduce the rates herein provided, and to pro rate the same in such manner as will restrict the total amount disbursed within the amount appropriated: Provided, further, That all persons who are included in class (a) shall first receive the full amount therein stated."

Section 3. That the law as contained in Section 943 of the Revised Statutes of 1893 be, and the same is hereby, amended so as to read as follows:

Board of Pen-
sions.

"Section 943. The said applications shall be submitted in each County of the State to a Board, composed of two ex-Confederate soldiers or sailors (to be chosen as hereinafter provided), the County Auditor, the County Treasurer and a regular practicing physician (the latter to be selected by the other members of the Board); and said Board of five persons shall be known as the 'County Examining Board of Pensions.' The said Board shall meet on the third Monday in April in 1896 and on the third Monday in January in each succeeding year for the purpose of considering the applications for pensions provided for in this Act. It shall be their duty to examine each applicant under rules and regulations prescribed by the Secretary of State, the Attorney-General and Comptroller-General, who are hereby created a 'State Board of Pensions,' and they shall certify their approval to said State Board of Pensions, giving in detail the reasons which influenced them to grant or oppose each application, accompanied by all the evidence upon which they made their decision. After first being duly sworn fairly and impartially to discharge the duties herein prescribed for them to the best of their ability, and after said oaths are duly filed in the office of the Clerk of Court, the members of said County Examining Board of Pensions shall meet as soon as practicable for the discharge of the duties imposed upon

Time of meet-
ing.Duty of State
Board of Pen-
sions.

them. In selecting pensioners from among the applicants the Board shall have regard to their physical condition and financial means, and also to the financial condition of their near relatives, allowing to each applicant so selected the sum of eight (8), six (6), or four (4) dollars per month, as they may be entitled under the provisions of this Act. Four members of said Board shall constitute a quorum. A majority of the members of the Board present may determine any matter presented to them, subject, however, to the right of review by the State Board. As soon as such County Board completes its list as above, giving the names of the pensioners, their residences and the amounts per month to which they are entitled, they shall certify the same to the State Board of Pensions, to be reviewed by them. The State Board of Pensions shall thereupon pass upon the names contained in said lists, and shall certify to the Clerk of the Courts of the various Counties the lists of the names and amounts approved by them, and said Clerks of Court shall record the same in a book; and said roll so made up shall be designated 'Approved Pension Rolls for 18—' and such persons shall constitute the pensioners entitled to receive the aid herein provided for the current year. The compensation of the two veterans and the physician who are members of said Board shall be two dollars per day for each day's service, not exceeding, however, four days' service in any one year. The County Auditor and County Treasurer shall serve upon said Board without compensation."

Section 4. That the law as contained in Section 905 of the Revised Statutes of 1893 be, and the same is hereby, amended so as to read as follows: "Section 950. The State of South Carolina shall annually appropriate the sum of one hundred thousand dollars to pay the pensions provided for by law."

Annual appropriation.

Section 5. That the law as contained in Section 951 of the Revised Statutes of 1893 be, and the same is hereby, amended so as to read as follows: "Section 951. On salesday in April, 1896, and on salesday in August in each subsequent year, the surviving soldiers and sailors who were in the service of the Confederate States or of this State in the late war between the States, residing in any County of this State, shall be authorized to meet in convention in the court

Surviving soldiers to elect two members of the Board.

A. D. 1896.

A. D. 1896.

house of such County at 11 A. M., or such other hour there after on such days as will procure as large an attendance as may be had, and organize by electing a Chairman and a Secretary, after which they shall elect by ballot two of their members, who shall receive a majority of the ballots cast in such election, as members of the County Examining Board of Pensions hereinbefore provided for: Provided, however, That in those Counties where such survivors fail or refuse to comply with this Act the State Board of Pensions may appoint two ex-Confederate soldiers or sailors as members of said Board."

Comptroller
General to issue
warrants for.

Section 6. On the first Monday in April in each year after the year 1896 the Comptroller-General shall issue to the persons then entitled to receive pensions under the provisions of the law upon that subject his warrant for the amount of the proportion of such annual appropriations as such persons shall be by law entitled to receive. Pensions payable under the provisions of this Act for the year 1896 shall be paid at such time as the State Board of Pensions may determine, not later than June 15, 1896.

Section 7. That all Acts or parts of Acts which are inconsistent with this Act are hereby repealed.

Approved the ninth day of March, A. D. 1896.

No. 76.

No. 120. AN ACT in Relation to Escheated Property, and to Devolve Upon the Secretary of State, as Agent of the Commissioners of the Sinking Fund, the Duties of Escheator.

Escheator.

Section 1. Be it enacted by the General Assembly of the State of South Carolina, That the duties of escheator be devolved hereafter upon the Secretary of State as agent of the Board of Commissioners of the Sinking Fund.

To act under
the direction of
the Sinking
Fund Commis-
sion.

Section 2. That as escheator the Secretary of State shall act under the direction and control of the Board of Commissioners of the Sinking Fund, and under the direction of said Board may use such of the funds and the services of such of the sub-agents of the said Board as in their discretion may be necessary to efficiency in discovering, renting,

A. D. 1898.

litigating and realizing money from escheated lands under existing law, and shall turn over to the State Treasurer the net proceeds of escheats after deducting and retaining therefrom for the benefit of the Sinking Fund so much money as in their opinion will reimburse the Sinking Fund for moneys and agents' services used and advanced as aforesaid, and also any other expense necessarily incurred in executing the law and protecting the interest of the State in matter of escheats: Provided, That costs and expenses incurred as aforesaid (on account of agents' services, money advanced or otherwise) in one case may be deducted and retained from the proceeds of any other case of escheatment in the discretion of the Commissioners of the Sinking Fund.

Section 3. That in cases where the process of escheatment is now in progress the Secretary of State as agent as aforesaid is authorized to call upon escheators heretofore having case in charge for a full and detailed report and account of the case, with authority, under direction of the Board of Commissioners of the Sinking Fund, either to require said former escheator, under direction of the Secretary of State as agent as aforesaid, to continue and conclude the process at commissions heretofore allowed said former escheator, or in the discretion of the said Board to require said former escheator to forthwith turn over the case and all funds in his hands (whether derived from said incomplete case or from any former or other case of escheatment) to the Secretary of State as agent as aforesaid; and when such incomplete case is finally settled the Secretary of State as agent as aforesaid shall allow and pay to the said former escheator out of the funds derived therefrom such a proportion of the commissions heretofore allowed by law to escheators as in the judgment of the Board of Commissioners of the Sinking Fund said escheator is entitled to under the circumstances of the case.

Escheator to call upon those who have had escheated property in charge for a report, &c.

Section 4. That at any sale of escheated property, if in his judgment the property is being sold at a sacrifice, the Secretary of State shall be authorized to buy the land in for the Commissioners of the Sinking Fund (or to cause the same to be bid in), and upon payment of the costs accrued thereon to cause the title deed to be made therefor as escheated property to the Commissioners of the Sinking Fund,

When Escheator may buy for Sinking Fund Commission.

A. D. 1896.

who shall rent or sell the said property in such manner, at such time and upon such terms as in their judgment shall be for the best interests of the State and apply the proceeds thereof as above directed.

Escheator to
make annual
report, &c.

Section 5. That a report be made annually by the Secretary of State, to be included in his annual report, showing the receipts and payments under the provisions of this Act in each case of escheat, with the items thereof; and in case any escheated property be purchased by said Commissioners, their annual report shall show all resales of such property, and all income, rents and profits derived from such property while held by said Commissioners.

Sec. 2437 R. S.
repealed.

Section 6. That Section 2318 of the General Statutes of 1892, and appearing as Section 2437 of the Revised Statutes of 1893, be, and the same is hereby, repealed.

Escheated
property not
affected.

Section 7. Nothing in this Act contained shall apply to any property heretofore escheated which by law was escheated for the benefit of any special purpose or object.

Section 8. That all Acts and parts of Acts inconsistent with the provisions of this Act be, and the same are hereby, repealed.

Approved the ninth day of March, A. D. 1896.

No. 77.

No. 125. AN ACT to Amend Chapter LXXIX of Volume I of the Revised Statutes, Relating to Homesteads.

Section 1. Be it enacted by the General Assembly of the State of South Carolina, That Chapter LXXIX of Volume 1 of the Revised Statutes, relating to homesteads, be, and the same is hereby, amended by striking out Section 2126 and inserting instead thereof the following: "Section 2126.

Homestead in
lands; what
allowed.

A homestead in lands, whether held in fee or any lesser estate, to the value of one thousand dollars, or so much thereof as the property is worth if its value is less than one thousand dollars, with the yearly products thereof, shall be exempt to the head of every family residing in this State from attachment, levy or sale, in mesne or final process issued from any Court, upon any judgment obtained upon

any right of action arising subsequent to the ratification of the Constitution of the State of South Carolina in 1868. And it shall be the duty of the Sheriff or other officer before selling the real estate of any head of a family resident in this State to cause a homestead as above stated to be set off to said person in the manner following, to wit: He shall cause three appraisers to be appointed, one to be named by the creditor, one by the debtor and one by himself, who shall be discreet and disinterested men, in no wise related to either party, and resident in the County, and who shall be sworn by a Magistrate, or other officer authorized by law to administer oaths, to impartially appraise and set off by metes and bounds a homestead not to exceed in value one thousand dollars. The said appraisers shall make return of their action in the premises under their hands and seals to the Sheriff or other officer within thirty days after they shall have been appointed as aforesaid, for record in the office of the Clerk of said Court, giving the metes and bounds as well as the value of the homestead set off, for which purpose they shall be authorized to call in the aid of a surveyor if they, or a majority of them, deem it necessary. If no complaint shall be made by either creditor or debtor within thirty days after the return of the appraisers has been filed, the proceedings in the case shall be final. If exceptions to said return be filed by either creditor or debtor within thirty days after the filing thereof, the same shall be tried de novo upon testimony taken in open Court, and the Court out of which the process issued may, upon good cause being shown, order a reappraisement and reassignment of the homestead by other appraisers appointed by the Court. Should the creditor or debtor neglect or refuse, after ten days' notice from the officer in whose hands the process is lodged, to nominate an appraiser, the said officer shall appoint the same."

A. D. 1896.

How set off.

Section 2. That said Chapter be further amended by striking out Section 2130 and inserting instead thereof the following: "Section 2130. No waiver of the right of homestead shall defeat the right before assignment except it be by deed of conveyance or by mortgage, and only as against the mortgage debt; and no judgment creditors or other creditor whose lien does not bind the homestead shall have any right or equity to require that a lien which embraces

How homestead may be waived.

A. D. 1896.

the homestead and other property shall first exhaust the homestead: Provided, That after a homestead in lands has been set off and recorded the same shall not be waived by deed of conveyance, mortgage or otherwise unless the same be executed by both husband and wife if both be living."

Homestead in
personal prop-
erty.

Section 3. That said Chapter be further amended by striking out Section 2131 and inserting instead thereof the following: "Section 2131. The personal property of the head of any family residing in this State, whether entitled to a homestead exemption in lands or not, to the extent of five hundred dollars, shall be exempt from attachment, levy or sale. And the personal property, consisting of necessary wearing apparel and tools and implements of trade or other property, not to exceed the value of three hundred dollars, the property of any person not the head of a family, shall be exempt from attachment, levy or sale. In case the right of such exemption be disputed by the creditors, the officer in whose hands the process is lodged shall cause the same to be ascertained and appraised, subject to the right of either creditor or debtor to except to the same as provided by law; and all exempted property so ascertained and appraised by appraisers appointed and sworn for that purpose, and the return of which has been duly made, filed and recorded, as provided in Sections 2126 and 2127, shall vest absolutely in the party, freed from all debts of the debtor then existing or thereafter contracted, whether such debtor retain or sell the property."

What property
not exempt
from levy and
sale.

Section 4. That said Chapter be further amended by striking out Section 2133 and inserting instead thereof the following: "Section 2133. The exemptions contained in the preceding Sections of this Chapter shall not extend to an attachment, levy or sale in any mesne or final process to secure or enforce the payment either of taxes or of obligations contracted for the purchase of said homestead, or the erection or making of improvements or repairs thereon, or for the purchase of said personal property: Provided, The Court or authority issuing said process shall certify thereon that the same is issued for some one or more of said purposes and no other: Provided, further, The yearly products of said homestead shall be subject to attachment, levy and sale to secure or enforce the payment of obligations contracted for provisions or other necessary articles purchased,

or advances in money or merchandise procured to be used or expended in the production of the same, or of other obligations contracted in the production of the same, and of none other; but the Court issuing the process therefor shall certify thereon that the same is issued for the said purpose and no other."

A. D. 1890.

Section 5. That said Chapter be further amended by adding the following Section to be known as Section 2133a: Whenever in any cause now or hereafter impending in the Court of Common Pleas in any County of this State the question of the right of any parties to a homestead or other like exemption in and to any property involved in said cause shall be made and adjudicated or otherwise brought to the attention of the Court, it shall be competent for the Court in all cases where the real property in respect to which the homestead is claimed shall be found by said Court to exceed the sum of one thousand dollars, and in all cases where the personal property in respect to which an exemption is claimed shall be found by said Court to exceed the sum of five hundred dollars, in its discretion, either direct a sale of the entire property and to provide for the payment of the amount of the exemption out of the proceeds of sale, or it may, where a division in kind shall appear to said Court to be practicable, direct that the homestead and personal property exempted or either be assigned as otherwise provided in this Chapter. In cases where the property shall be so sold as above and a sum of money shall be taken from the proceeds of sale as the exempted property, the Court shall make such order relative to the investment or other disposition thereof as shall secure the rights of all parties interested.

When the Court may order a sale of the property and order the homestead to be reserved in money.

Approved the ninth day of March, A. D. 1896.

No. 78.

AN ACT to Provide for the Settlement of Issues Between Citizens of this State by Arbitrations. No. 95.

Section 1. Be it enacted by the General Assembly of the State of South Carolina, From and after the passage of this Act it shall be lawful for any and all persons in cases of dis-

A. D. 1896.

Arbitrations,
how to be con-
ducted.

agreement or difference of opinion as to the proper settlement of any contention that may hereafter arise, either party to the contention may propose to leave their differences to arbitration, each party to enter into bond in double the amount involved to faithfully abide the result of arbitration. The arbitrators shall be selected in the following manner: One discreet person to be selected by each party to the contention, and the two to select a third party who shall not be connected with either of the principals by blood or otherwise; the three shall proceed to organize by electing a Chairman from their number, and take the following oath each, to wit: I do solemnly swear that I will duly consider all the evidence adduced by the several parties to this contention, and that I will render a true verdict or findings according to law and the evidence.

Appeals pro-
vided for.

Section 2. The finding of said Board of Arbitration shall be final: Provided, That either party to the contentions shall have the right of appeal to the Circuit Court by serving written notice upon the opposite party within five days after the finding of said arbitration, setting forth the grounds of said appeal. And on such appeal the Circuit Judge presiding in said Court shall hear said appeal as to all questions of law and fact without the intervention of a jury. If no such notice be given within five days of said finding, then the award of arbitration shall be final.

Awards, effect
of.

Section 3. The award of the arbitration shall be filed with the Clerk of Common Pleas within five days after such finding and when so filed shall become a judgment of the Court of Common Pleas for such County.

Powers of
arbitrators, &c.

Section 4. That said arbitrators appointed as aforesaid shall have power to subpoena witnesses and send for papers with the same powers and penalties as now apply to Magistrates Courts.

Approved the ninth day of March, A. D. 1896.

No. 79.

No. 101. AN ACT to Amend an Act Entitled "An Act to Regulate the Foreclosure of Mortgages of Real Estate," Approved January 5th, A. D. 1895, as to Date of Acknowledgment and as to Mortgagee Purchasing.

Section 1. Be it enacted by the General Assembly of the State of South Carolina, That an Act entitled "An Act to

regulate the foreclosure of mortgages of real estate," approved January 5th, A. D. 1895, be amended by inserting between Sections 1 and 2 of said Act a new Section to be designated as Section 1a, to read as follows:

A. D. 1896.

Section 1a. That the consent of the mortgagor to the amount of the debt shall bear date not more than twelve months prior to any sale under any power contained in any such mortgage as referred to in Section 1 of this Act; and when any sale of land is made, or to be made, under and according to the provisions of this Act, any balance of the mortgage debt over the purchase price of the land at such sale shall not be extinguished by reason of the mortgagee or his or her assigns becoming the purchaser at such sale, whether the mortgage contain a provision to that effect or not.

Date of consent of mortgagor.

Approved the ninth day of March, A. D. 1896.

No. 80.

AN ACT to Amend Section 2544 of the General Statutes of This State, Relating to Legal Holidays. No. 1.

Section 1. Be it enacted by the General Assembly of the State of South Carolina, That Section 2544 of the General Statutes be, and the same is hereby, amended by striking out the word "and" on the fourth line of the said Section, and add after the word "September" on the same line the words "and the tenth day of May." So that the said Section as amended shall read as follows:

Section 2544. National thanksgiving days and all general election days, the first day of January, the nineteenth day of January, the twenty-second day of February, the fourth day of July, the twenty-fifth day of December, the first Monday in September and the tenth day of May of each year shall be legal holidays: Provided, That nothing herein contained shall be so construed as to affect judicial sales as now provided by law, or any other legal transaction, on the first Monday of September.

Legal holidays.

Approved the seventh day of February, A. D. 1896.

A. D. 1896.

No. 81.

No. 2. AN ACT Relating to the Disposition of the Balance Remaining Unsold of the General Statutes of 1882.

Balance of
General Stat-
utes to be dis-
posed of.

Section 1. Be it enacted by the General Assembly of the State of South Carolina, That the agent of the State now under contract for the sale of the General Statutes of 1882 be, and he is hereby, authorized and required, after turning over to the Legislative Library twenty (20) of the bound copies and to the Supreme Court Library five (5) of the bound copies, to sell the balance remaining of the said General Statutes of 1882 at one dollar per volume for the unbound copies and at \$1.50 per volume for the bound copies: Provided, That not more than 5 volumes be sold to any one purchaser.

Commissions
to agent.

Section 2. That the said agent shall be allowed and paid out of the proceeds of the sale a commission of ten per cent. upon the reduced price for such as are actually sold by him in lieu of all commissions, fees or compensation heretofore allowed him under his contract.

Agent to file
acceptance of
the terms here-
of.

Section 3. That the said agent and his bondsmen shall in writing, before two witnesses, within ten days from the approval of this Act, file with the Secretary of State a declaration signifying their acceptance of the terms of this Act and their agreement that said agent shall carry out its provisions under the penalties of their bond heretofore executed under his contract.

Duty of if ac-
ceptance is not
filed.

Section 4. That in case said declaration and agreement be not filed as required, then said agent shall turn over to the Commissioners of the Sinking Fund the said balance of said General Statutes, to be by the said Commissioners treated as other assets of the State in their hands and sold after making the required deposit of bound copies in the Legislative and Supreme Court Libraries.

Section 5. That this Act shall take effect immediately upon its approval.

Approved the seventh day of February, A. D. 1896.

No. 82.

A. D. 1896.

AN ACT to Amend Section 2851 of the General Statutes of 1882, (Appearing as Section 2466 in the Revised Statutes of 1893), Relating to Liens for Materials Furnished in the Erection, Alteration or Repair of Buildings.

No. 50.

Section 1. Be it enacted by the General Assembly of the State of South Carolina, That Section 2351 of the General Statutes of 1882 (appearing as Section 2466 in the Revised Statutes of 1893) be, and the same is hereby, amended by striking out the whole of said Section and substituting therefor the following:

"Any sub-contractor or person contracting with an original contractor may have such a lien: Provided, That before performing or furnishing labor or furnishing materials, or both, he do give notice in writing to the owner of the property to be affected thereby, (or to the lawful agent of the owner if the original contract was made by and through such agent) and also to the original contractor, that he intends to claim such a lien: And provided, further, That the aggregate amount of any and all such liens and of the lien of the original contractor shall not exceed the amount of the lien of the original contractor; and any and all questions between an original contractor and a sub-contractor or contractors, and between sub-contractors, shall be first adjusted and settled before the owner can be required to pay, on his contract, anything to any of such contractors."

How a sub-contractor may obtain a lien.

Proviso.

Approved the twenty-fifth day of February, A. D. 1896.

No. 83.

AN ACT to Amend the Law Relating to Agricultural Liens as Revised in Article 4, Chapter XCIX, Title IV, Volume I of the Revised Statutes. No. 108.

Section 1. Be it enacted by the General Assembly of the State of South Carolina, That the law relating to agricultural liens as revised in Article 4 of Chapter XCIX, Title IV of Vol. I of the Revised Statutes be, and the same is hereby, amended by adding thereto a Section to be known as Section 2522a, as follows: Section 2522a. The provisions

A. D. 1896. of Section 2519 of this Article shall be applicable to all cases of liens and the enforcement thereof arising under Sections 2512, 2513, 2514, 2515.

How laborers' liens may be enforced.

Section 2. That all Acts or parts of Acts inconsistent with this Act be, and the same is hereby, repealed.

Approved the ninth day of March, A. D. 1896.

No. 84.

No. 68. AN ACT to Require Contractors in the Erection, Alteration or Repairing of Buildings to Pay Laborers, Sub-Contractors and Material Men for Their Services and Material Furnished.

Section 1. Be it enacted by the General Assembly of the State of South Carolina, That on and after the passage of this Act it shall be the duty of any contractor or contractors in the erection, alteration or repairing of buildings in the State of South Carolina to pay all laborers, sub-contractors and material men for their lawful services and material furnished out of the money received for the erection, alteration or repairs of buildings upon which said laborers, sub-contractors and material men are employed or interested, and said laborers, as well as all sub-contractors and persons who shall furnish material for said building, shall have a first lien on the money received by said contractor or contractors for the erection, alteration or repair of said buildings in proportion to the amount of their respective claims. That nothing herein contained shall make the owner of the building responsible in any way: Provided, further, That nothing contained in this Section shall be construed to prevent any contractor or contractors or sub-contractors from borrowing money on such contract.

Contractors to pay all laborers employed.

Lien of laborers.

Section 2. Any contractor or contractors or sub-contractors who shall for other purposes than paying the money loaned upon said contract expend and on that account fail to pay to any or all laborers, sub-contractors and material men out of the money received, as provided in Section 1 of this Act, and as admitted by such contractor or contractors, or as may be adjudged by any Court of competent jurisdiction, shall be deemed guilty of a misdemeanor, and upon

Violations a misdemeanor.

conviction shall be fined not less than one hundred dollars nor more than five hundred dollars, or imprisonment not less than three months nor more than twelve months: Provided, Said contractor or contractors or sub-contractors may have the right of arbitration by agreement with said laborers, sub-contractors and material men.

A. D. 1896.

Approved the second day of March, A. D. 1896.

No. 85.

AN ACT to Require Hired Convict Labor to Be Paid for at Least Monthly and Only in Legal Tender Money of the United States. No. 126.

Section 1. Be it enacted by the General Assembly of the State of South Carolina, That after the approval of this Act by the Governor, the Superintendent and Board of Directors of the State Penitentiary shall not hire out any convicts except to be paid for at least monthly and only in legal tender cash money of the United States of America, except when hired out for agricultural purposes.

Hire of convicts to be paid monthly; exception.

Approved the ninth day of March, A. D. 1896.

No. 86.

AN ACT to Amend an Act to Provide for the Adopting of Legitimate Children and Allowing Them to Inherit, Approved December 24th, 1892, Appearing as Section 2204 of the Revision of 1893, Relating to the Adoption of Children. No. 78.

Section 1. Be it enacted by the General Assembly of the State of South Carolina, That Section 1 of an Act to provide for the adopting of legitimate children and allowing them to inherit, approved December the 24th, 1892, appearing as Section 2204 of the revision of 1893, be, and the same is hereby, amended by adding thereto the following proviso:

Provided, further, That whenever the child or children whose adoption may be desired by any person or persons, in accordance with the foregoing provisions of this Section,

A. D. 1896.

Provisions for
the adoption of
legitimate chil-
dren.

is or are an inmate or inmates of any orphan house within this State, then the petition for the adoption of such child or children, hereinbefore required, may be filed and all other proceedings in reference thereto had in the Court of Common Pleas for the County in which such orphan house is situated, with like force and effect in every respect as if such petition had been filed and such proceedings had in the Court of Common Pleas for the County in which such petitioner or petitioners may reside. So that said Section when amended shall read as follows: Section 1. Any person or persons who may desire to adopt any legitimate child or children in this State, and confer upon such child or children so adopted the right to inherit as the lawful child of the said person or persons, whether it be desired to change the name of such child or children or not, shall be authorized to file his or their petition in the Court of Common Pleas for the County in which he, she or they may reside, and thereupon the Court, upon an examination into the merits of the said petition, either in open Court or upon reference, shall be authorized to grant the prayer thereof upon such terms as may to the Court seem proper, and thereupon the name of the said child or children shall be changed if so provided in the decree of said Court, and such child or children shall be entitled to inherit from the said petitioner or petitioners as his, her or their lawful child or children: Provided, That before any hearing shall be had on said petition, the child or children so sought to be adopted, and whose name or names are sought to be changed, shall be served with a copy of said petition, and guardian ad litem for such child or children shall be appointed as in other civil actions: Provided, further, That whenever the child or children whose adoption may be desired by any person or persons in accordance with the foregoing provisions of this Section is or are an inmate or inmates of any orphan house within this State, then the petition for the adoption of such child or children hereinbefore required may be filed and all other proceedings in reference thereto had in the Court of Common Pleas for the County in which such orphan house is situated, with like force and effect in every respect as if such petition had been filed and such proceedings had in the Court of Com-

mon Pleas for the County in which such petitioner or petitioners may reside.

A. D. 1896.

Approved the fifth day of March, A. D. 1896.

No. 87.

AN ACT to Amend Section I of an Act Entitled "An Act to Provide for the Selection of a Public Printer and to Regulate the Awarding of Contracts for Public Printing," Approved December 22nd, A. D. 1893, in so Far as Same Relates to Compensation. No. 196.

Section 1. Be it enacted by the General Assembly of the State of South Carolina, That Section I of an Act entitled "An Act to provide for the selection of a Public Printer and to regulate the awarding of contracts for public printing," approved December 22nd, A. D. 1893, be, and the same is, amended by striking out the figures hereinafter designated on the lines hereinafter designated, and inserting the following in lieu thereof, to wit: On line 11 strike out 80 and insert 90; on line 12 strike out 80 and insert 90; on line 13 strike out 80 and insert 90; on line 14 strike out 80 and insert 90; on line 15 strike out 80 and insert 72; on line 16 strike out 80 and insert 72 cents; on line 17 strike out \$1.10 and insert 72 cents; on line 18 strike out \$1.40 and insert \$1.18; on line 19 strike out 75 and insert 68; on line 20 strike out 95 and insert 90; on line 21 strike out 90 and insert 84; on line 22 strike out 80 and insert 74; on line 23 strike out \$4.00 and insert \$3.50; on line 24 strike out \$1.00 and insert 92 cents; on line 25 strike out \$1.00 and insert 74 cents; on line 26 strike out 80 and insert 74; and on the 27th line strike out "thirds" and insert "fifths." So that said Section as amended shall read:

Section 1. Be it enacted by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the General Assembly shall biennially elect a State Public Printer, whose term of office shall be two years, which shall begin with the expiration of the term of the present contract for State printing, and until his successor shall have been duly elected and shall have qualified in the

State Printer.
how elected:
term of office.

A. D. 1896.

Compensation.

manner prescribed by law, and who shall receive for the public printing during such period the following compensation, to wit: 200 copies per day Senate Calendar, at 90 cents per page; 200 copies per day House Calendar, at 90 cents per page; 200 copies per day Senate Journal, at 90 cents per page; 200 copies per day House Journal, at 90 cents per page; 50 copies per day Senate Resolutions at 72 cents per page; 150 copies per day House Resolutions, at 72 cents per page; 50 copies per day Senate Bills, at \$1.10 per page; 150 copies House Bills, at \$1.18 (cents) per page; 1,500 copies Governor's Message, at 68 cents per page; 600 copies Report Comptroller-General, at 90 cents per page; 300 copies Reports other State officials, at 84 cents per page; 2,500 copies of Acts and Joint Resolutions, at \$3.50 per page; 500 copies Senate Journals, at 92 cents per page; 500 copies House Journals, at 92 cents per page; 500 copies Reports and Resolutions, at 74 cents per page; rule and figure work a price and two-fifths. All other work not embraced in above schedule to be done at corresponding figures.

Unlawful to
over-draw the
appropriation.

Section 2. It shall be unlawful for any funds to be drawn or expended to pay for the public printing in excess of the amounts which may be specifically appropriated for that purpose.

Section 3. All Acts or parts of Acts inconsistent with or repugnant to this Act are hereby repealed.

Section 4. This Act shall take effect immediately upon the election and qualification of the successor to the present State Public Printer.

Approved the ninth day of March, A. D. 1896.

No. 88.

No. 97. AN ACT to Further Regulate Public Printing, Reports of Officials and Compensation for Same.

Printing of
official reports
regulated.

Section 1. Be it enacted by the General Assembly of the State of South Carolina, That after the passage of this Act no extra copies of reports of officials shall be required to be printed as formerly required by the law as embodied in the latter part of Section 45 of the Revised Statutes of 1893,

Vol. 1, and the heads of the various departments and boards in making their reports shall only give statistical matter and their recommendations in as brief form as possible, and the Railroad Commissioners shall not print the general correspondence of their office, railroad schedules, classification of freight, freight or passenger rates, but shall make their report in as concise and brief manner as may be compatible with the public welfare.

A. D. 1896.

Section 2. That in no fiscal year shall the Comptroller-General draw his warrants or the State Treasurer pay same for an aggregate amount for printing in excess of the sum of twenty thousand dollars unless a larger amount has been appropriated, in which case such warrants shall not exceed the appropriation.

Appropriation: not to be exceeded.

Section 3. That heads of departments and other officials having reports to make to the General Assembly shall not hereafter have the right or authority to designate to the Public Printer the particular type in which each part of their report is to be printed or the manner in which it is to be set up, but the said Printer shall be required to set up and print all such reports in as cheap a manner as is consistent with the public welfare, and the compensation therefor shall be on the basis of the long primer page of not less than one thousand seven hundred ems as provided heretofore by the law as embraced in the latter part of Section 32 of the General Statutes of this State and the latter part of Section 44 of the Revised Statutes of 1893.

In what manner reports shall be printed.

Approved the ninth day of March, A. D. 1896.

No. 89.

AN ACT to Amend Chapter V of Revised Statutes, Relating to Reports and Documents, Being Chapter IV of General Statutes of 1883.

No. 112.

Section 1. Be it enacted by the General Assembly of the State of South Carolina, That Section 62 (41 of General Statutes) be, and the same is hereby, amended by striking out these words: "on or before the first day of December in each year" and inserting the following: "on or before the twentieth day of January in each year." So that when said Section shall be amended it shall read as follows:

A. D. 1886.

* Time for making annual reports.

"Section 62. (41.) The Comptroller-General and all other officers required by law to report annually to the General Assembly shall make such report on or before the twentieth day of January in each year."

Section 2. That Section 63 (42 of General Statutes) be, and the same is hereby, amended by striking out these words: "All State officers are required to place their reports in the Printer's hands by the second day of November, except the Comptroller-General and the State Treasurer, who shall place their reports in his hands on the tenth day of November," and inserting the following: "All State officers are required to place their reports in the Printer's hands by the tenth day of January; and he must have reports printed and ready for delivery by the twentieth day of January, and on default thereof shall forfeit five dollars per day on each report delayed; but he shall not be subject to such forfeiture when the State officers do not place their reports in his hands on the day required;" so that when said Section shall be amended it shall read as follows:

"Section 63. (42.) All State officers are required to place their reports in the Printer's hands by the tenth day of January; and he must have reports printed and ready for delivery by the twentieth day of January, and on default thereof shall forfeit five dollars per day on each report delayed; but he shall not be subject to said forfeiture when the State officers do not place their reports in his hands on the day required."

When reports to be placed in Printer's hands.

Section 3. That Section 66 (45 of General Statutes) be, and the same is hereby, amended by striking out the word "October" and inserting in lieu thereof the word "December." So that when said Section shall be amended it shall read as follows:

When public officers to report debts due the State.

Section 66. (45.) All public officers having in their possession the evidences of any debts due the State shall, on the last day of December in every year, furnish the Comptroller-General with a statement of all such debts, showing the names of the debtors, the amount of the debts, the interest, the payments made, and the balance due the State. And in case of failure on the part of any public officer to furnish the Comptroller-General with the statement aforesaid, he shall forfeit and pay the sum of two hundred dollars, to be recovered in any Court having competent jurisdiction."

Section 4. That Section 71 (50 of General Statutes) be, and the same is hereby, amended by striking out the word "November" and inserting in lieu thereof the word "January." So that when said Section shall be so amended it shall read as follows:

A. D. 1896.

"Section 71. (50.) The Directors of the State Penitentiary shall make an annual report to the Governor, on or before the first day of January in each year, of the state and condition of the prison, the convicts confined therein, of the money expended and received, and, generally, of all the proceedings during the last year, to be laid before the General Assembly."

Directors of
State Peniten-
tiary to make a
report.

Section 5. That Section 75 (54 of the General Statutes) be, and the same is hereby, amended by striking out the word "October" on second line and inserting the word "December" on line three; by striking out the words "November" and "December" and inserting the words "January" and "February." So that when said Section shall be amended it shall read as follows:

"Section 75. (54.) The accounts of the Treasurer of the State shall be, annually, closed on the thirtieth day of December, and shall be examined during the months of January and February in each year by a joint Committee, consisting of one member of the Senate and two of the House of Representatives, to be appointed by a Concurrent Resolution of the two houses of the General Assembly at the session previous to said time of examination in each year, and whose duty shall also be to examine the office of the Comptroller-General and that of the Commissioners of the Sinking Fund."

When account
of State Treas-
urer closes;
examination of,
&c.

Section 6. That Section 76 (55 of General Statutes) be, and the same is hereby, amended by striking out the word "October" wherever it occurs and insert in lieu thereof the word "December," and by striking out the word "September" on last line of said Section and insert in lieu thereof the word "December." So that said Section when it shall be so amended shall read as follows: "Section 76. (55.) Such Committee shall examine the accounts, the vouchers relating to all moneys received into and paid out of the Treasury during the year ending on the thirtieth of December preceding such examination, and shall certify and report to the General Assembly at its next session after the said thirtieth

Examination
of Treasurer's
books; how
made.

A. D. 1896.

day of December the amount of moneys received into the Treasury during such year; the amount of moneys paid out of it during the same period by virtue of warrants drawn on the Treasury by the Comptroller-General or any other officer; the amount of moneys received by the Treasurer who shall be in office at the time of such examination when he entered upon the exercise of the duties of his office; and the balance in the Treasury on the thirtieth day of December preceding such examination. They shall also report as to the operations of the Commissioners of the Sinking Fund, including the moneys received and disbursements made by them."

Section 7. That Section 80 (58 of General Statutes) be, and the same is hereby, amended, by striking out the words "fifteenth of November" on second line of said Section and inserting the words "fifth day of January." So that said Section when it shall be so amended shall read as follows:

County Board
of Commission-
ers to make re-
port to Compt-
roller-General.

"Section 80. (58.) The Commissioners of each County shall on or before the fifth day of January in each year report to the Comptroller-General, to be incorporated in his annual report, and laid before the General Assembly, a detailed account of all their doings, in such form as the Comptroller-General shall direct or prepare and forward to them for such purpose."

Approved the ninth day of March, A. D. 1896.

No. 90.

No. 155. AN ACT Relating to Warehousemen, Authorizing Them to Give Bonds and Issue Warehouse Receipts Secured Thereby, and Prescribing and Regulating Their Powers and Duties.

Public ware-
housemen.

Section 1. Be it enacted by the General Assembly of the State of South Carolina, Any person engaged in the business of a warehouseman, or any corporation organized under the laws of this State and whose charter authorizes them to engage in the business of a warehouseman within this State, may become a public warehouseman and authorized to keep and maintain public warehouses for the stor-

age of cotton, goods, wares and other merchandise as hereinafter prescribed, and upon giving the bond hereinafter required.

A. D. 1896.

Section 2. Every person or corporation so authorized under the preceding Section to become a public warehouseman shall give bond, to an amount based on the estimated value said warehouseman will provide storage for, to the Clerk of the Court of Common Pleas of the County wherein is situated the warehouse of said public warehousemen, with sufficient sureties, to be approved by the said Clerk of Court, for the faithful performance of the duties of a public warehouseman.

To give bond.

Section 3. Whenever such warehouseman fails to perform his duty, or violates any of the provisions of this Act, any person injured by such failure or violation may bring an action in his name, and to his own use, in any Court of competent jurisdiction, on the bond of said warehouseman; and in case he shall fail in said action he shall be liable to the defendant for any costs which the defendant may recover in the action.

Liability on bond.

Section 4. Every such warehouseman shall, when requested thereto, in writing, by a party placing property with him, or it, on storage, cause such property to be insured for whom it may concern. Every such warehouseman shall, except as hereinafter provided, give to each person depositing property with him for storage a receipt therefor, which shall be negotiable in form, and shall describe the property, distinctly stating the brand or distinguishing marks upon it, and if such property is grain the quantity and inspected grade thereof. The receipt shall also state the rate of charges for storing the property, and amount and rate of insurance thereon, and also the amount of the bond given to the Clerk of the Court as hereinabove provided: Provided, however, That every such warehouseman shall, upon request of any person depositing property with him for storage, give to such person his non-negotiable receipt therefor, which receipt shall have the words "non-negotiable" plainly written, printed or stamped on the face thereof: And provided, That assignment of such non-negotiable receipt shall not be effective until recorded on the books of the warehouseman issuing them.

When shall insure property left in warehouse: receipt for goods.

A. D. 1866.

How title to
property shall
pass.

Section 5. The title to cotton, goods, merchandise and chattels stored in a public warehouse shall pass to a purchaser or pledgee by the endorsement and delivery to him of the warehouseman's receipt therefor, signed by the person to whom such receipt was originally given or by an endorsee of such receipt.

Grain.

Section 6. When grain or other property is stored in public warehouses in such a manner that different lots or parcels are mixed together, so that the identity thereof cannot be accurately preserved, the warehouseman's receipt for any portion of such grain or property shall be deemed a valid title to so much thereof as is designated in said receipt, without regard to any separation or identification.

Shall keep a
book of entry.

Section 7. Every such warehouseman shall keep a book in which shall be entered an account of all his transactions relating to warehousing, storing and insuring cotton, goods, wares and merchandise, and to the issuing of receipts therefor, which books shall be open to the inspection of any person actually interested in the property to which such entries relate.

When he may
sell property
left with him.

Section 8. Every public warehouseman who shall have in his possession any property by virtue of any agreement or warehouse receipt for the same, storage of the same, on which a claim for storage is at least one year overdue, may proceed to sell the same at public auction, and out of the proceeds may return all charges for storage of such goods, wares and merchandise, and any advances that may have been made thereon by him or them, and the expenses of advertising and sale thereof. But no sale shall be made until after the giving of printed or written notice of such sale to the person or persons in whose name such goods, wares and merchandise were stored, requiring him or them, naming them, to pay the arrears or amount due for such storage, and in case of default in so doing the goods, wares and merchandise may be sold to pay the same at a time and place to be specified in such notice.

Notice of sale,
how served.

Section 9. The notice required in the last preceding Section shall be served by delivering it to the person or persons in whose name such goods, wares and merchandise were stored, or by leaving it at his usual place of abode, if within this State, at least thirty days before the time of such sale, and a return of the

A. D. 1898.

service shall be made by some officer authorized to serve civil process, or by some other person, with an affidavit of the truth of the return. If the party storing such goods cannot with reasonable diligence be found within this State, then such notice shall be given by publication once in each week for two successive weeks, the last publication to be at least ten days before the time of such sale, in a newspaper published in the city or town where such warehouse is located; or if there is no such paper, in one of the principal newspapers published in the County in which said city or town is located. In the event that the party storing such goods shall have parted with the same, and the purchaser shall have notified the warehouseman, with his address, such notice shall be given to such person in lieu of the person storing the goods.

Section 10. Such warehousemen shall make an entry, in a book kept for that purpose, of the balance or surplus of proceeds of sale, if any, and such balance or surplus, if any, shall be paid over to such person or persons entitled thereto on demand. If such balance or surplus is not called for or claimed by such party or owner of said property within six months after such sale, such balance or surplus shall be paid by said warehouseman to the Clerk of the Court of the County in which said warehouse is located, who shall pay the same to the parties entitled thereto, if called for or claimed by the original owner within five years after the sale thereof, and such warehouseman shall at the same time file with said Clerk an affidavit in which shall be stated the name and place of residence, so far as the same are known.

Section 11. Whoever unlawfully sells, pledges, lends, or in any other way disposes of, or permits, or is a party to the unlawful selling, pledging, lending or other disposition of any goods, wares, merchandise or thing deposited in a public warehouse, without the authority of the party who deposited the same, shall be punished by a fine not to exceed \$2,000, and by imprisonment in the State Penitentiary for not more than three years. But no public warehouseman shall be liable to the penalties provided in this Section unless with intent to injure or defraud any person he so sells, pledges, lends or in any other way disposes of the same, or

A. D. 1896.

is a party to the selling, pledging, lending or other disposition of any goods, wares, merchandise, article or thing so deposited.

Perishable
property, how
disposed of.

Section 12. Whenever a public warehouseman has in his possession any property which is of a perishable nature, or will deteriorate greatly in value by keeping, or upon which the charges for storage will be likely to exceed the value thereof, or which by its odor, leakage, inflammability, or explosive nature, is likely to injure other goods, such property having been stored upon non-negotiable receipt, and when said warehouseman has notified the person in whose name the property was received to remove said property, but such person has refused or omitted to receive and take away such property and to pay the storage and proper charges thereon, said public warehouseman may in the exercise of a reasonable discretion sell the same at public or private sale, without advertising, and the proceeds, if there are any proceeds after deducting the amount of said storage and charges and expenses of sale, shall be paid or credited to the person in whose name the property was stored; and if said person cannot be found, on reasonable enquiry, the sale may be made without any notice, and the proceeds of such sale, after deducting the amount of storage, expenses of sale, and other proper charges, shall be paid to the Clerk of the Court of the County wherein said warehouse is situated, who shall pay the same to the person entitled thereto if called for or claimed by the rightful owner within one year of the receipt thereof by said Clerk.

1b.

Section 13. Whenever a public warehouseman, under the provisions of the preceding Section, has made a reasonable effort to sell perishable and worthless property, and has been unable to do so, because of its being of little or no value, he may then proceed to dispose of such property in any lawful manner, and he shall not be liable in any way for property so disposed of.

Liability for
storage.

Section 14. Whenever a public warehouseman, under the provisions of the two preceding Sections, has sold or otherwise disposed of property and the proceeds of such sale or disposition have not equalled the amount necessary to pay the storage charges, expenses of sale and other charges against said property, then the person in whose name said property was stored shall be liable to said public ware-

houseman for an amount which, added to the proceeds of such sale, will be sufficient to pay all of the proper charges upon said property; or in case such property was valueless and there were no proceeds realized from its disposition, the person in whose name said property was stored shall be liable to said public warehouseman for all proper charges against said property.

A. D. 1896.

Section 15. All Acts and parts of Acts inconsistent with this Act are hereby repealed.

Section 16. This Act shall take effect upon its passage.

Approved the ninth day of March, A. D. 1896.

No. 91.

AN ACT to Limit the Amount of Land Which Alien or Foreign Corporations May Own Within This State. No. 192.

Section 1. Be it enacted by the General Assembly of the State of South Carolina, That no alien person, either in his own right, in severalty, or as tenant in common, in fee or for a term of years, or as trustee, cestui qui trust, or agent, shall own or control within the limits of this State more than five hundred acres of land: Provided, That this Section shall not apply to land purchased under proceedings either by action, or power of sale, to foreclose any mortgage held by the foreign corporation purchasing the same, but in such case such foreign corporation shall not be entitled to hold said excess of land more than five years without sale of the same, unless the Comptroller-General shall certify that a sale during that time would be materially detrimental to the interest of such corporation, in which case the said corporation may hold the said land for five years longer upon the same conditions.

Amount of
land an alien
may own.

Section 2. Nothing in this Act shall apply to lands already owned or controlled by the persons or corporations referred to in this Act, nor to lands already mortgaged to such persons or corporations.

Not retrospec-
tive.

Approved the ninth day of March, A. D. 1896.

A. D. 1896.

No. 92.

No. 106. AN ACT To Amend Section 1758 of the General Statutes, Being Section 1870 of the Revised Statutes of 1893, in Relation to Circuses and Other Shows Traveling and Exhibiting for Gain.

Circuses and
shows to pay
license tax.

Section 1. Be it enacted by the General Assembly of the State of South Carolina, That Section 1758 of the General Statutes, being Section 1870 of the Revised Statutes of 1893, be amended so as to read as follows: Any circus or other such traveling show exhibiting under canvas or outdoors for gain shall, before exhibiting in any County in this State, obtain a license from the Clerk of the Court of such County, and shall pay to the said Clerk for such license one hundred dollars for each and every day said circus or other show shall be exhibited; and said Clerk shall forthwith pay over to the County Treasurer of said County all the moneys by him received on account of said license, to be applied to the use of said County.

Approved the ninth day of March, A. D. 1896.

No. 93.

No. 26. AN ACT to Amend Section 306 of the Criminal Statutes, Vol. 2 Revised Statutes 1893, in Reference to the Suspension by the Governor of Certain Public Officers.

Section 1. Be it enacted by the General Assembly of the State of South Carolina, That Section 306 (2556) of the Criminal Statutes, Vol. 2 Revised Statutes 1893, be, and the same is hereby, amended by adding the following at the end of said Section: "And whenever it shall be brought to the notice of the Governor by affidavit that any officer who has the custody of public or trust funds is probably guilty of embezzlement, or the appropriation of public or trust funds to private use, then the Governor shall direct his immediate prosecution by the proper officer, and upon true bill found the Governor shall suspend such officer and appoint one in his stead until he shall have been acquitted by the verdict of a jury. In case of conviction the office shall be declared vacant and the vacancy filled as may be provided by law." So that said Section as amended shall read:

Section 306. (2556.) It shall be the duty of the presiding Judge before whom such officer shall be tried to cause a certified copy of the indictment to be immediately transmitted to the Governor, who shall upon receipt thereof declare by proclamation his office vacant, and the same shall be filled as in the case of death or resignation of the incumbent. And whenever it shall be brought to the notice of the Governor by affidavit that any officer who has the custody of public or trust funds is probably guilty of embezzlement, or the appropriation of public or trust funds to private use, then the Governor shall direct his immediate prosecution by the proper officer, and upon true bill found the Governor shall suspend such officer and appoint one in his stead until he shall have been acquitted by the verdict of a jury. In case of conviction the office shall be declared vacant and the vacancy filled as may be provided by law.

Approved the twenty-fifth day of February, A. D. 1896.

A. D. 1896.

Duty of presiding Judge, when officer is indicted, &c.

No. 94.

AN ACT to Prevent Lynching in This State.

No. 14.

Section 1. Be it enacted by the General Assembly of the State of South Carolina, That in the case of any prisoner lawfully in the charge, custody or control of any officer, State, County or municipal, being seized and taken from said officer through his negligence, permission or connivance, by a mob or other unlawful assemblage of persons, and at their hands suffering bodily violence or death, the said officer shall be deemed guilty of a misdemeanor, and upon true bill found shall be deposed from his office pending his trial, and upon conviction shall forfeit his office, and shall, unless pardoned by the Governor, be ineligible to hold any office of trust or profit within this State. It shall be the duty of the prosecuting attorney within whose Circuit or County the offense may be committed to forthwith institute a prosecution against said officer, who shall be tried in such County in the same Circuit, other than the one in which the offense was committed, as the Attorney-General may elect. The fees and mileage of all material wit-

Penalty to officer from whom a prisoner is taken.

To be prosecuted.

A. D. 1896.

nesses, both for the State and the defense, shall be paid by the State Treasurer on a certificate issued by the Clerk and signed by the presiding Judge, showing the amount of said fee due the witness.

When County
liable for dam-
ages.

Section 2. In all cases of lynching when death ensues the County where such lynching takes place shall, without regard to the conduct of the officers, be liable in exemplary damages of not less than two thousand dollars, to be recovered by action instituted in any Court of competent jurisdiction by the legal representatives of the person lynched, and they are hereby authorized to institute such action for the recovery of such exemplary damages. A County against which a judgment has been obtained for damages in any case of lynching shall have the right to recover the amount of said judgment from the parties engaged in said lynching in any Court of competent jurisdiction, and is hereby authorized to institute such action.

May recover
from guilty par-
ties.

Approved the eighth day of February, A. D. 1896.

No. 95.

No. 110. AN ACT to Prevent the Adulteration of Candy and Provide Penalty for Same.

Section 1. Be it enacted by the General Assembly of the State of South Carolina, That no person or corporation shall by himself, his servant or agent, or as the servant or agent of any other person or corporation, manufacture for sale, knowingly sell or offer to sell, any candy adulterated by the admixture of terra alba, barytes, talc or any other mineral substance, or by poisonous colors or flavors or other ingredients deleterious or detrimental to health.

Adulteration
of candy pro-
hibited.

Section 2. Any person or corporation convicted of violating any of the provisions of this Act shall be punished by a fine not exceeding one hundred dollars nor less than fifty dollars. The candy so adulterated shall be forfeited and destroyed under direction of the Court.

Approved the ninth day of March, A. D. 1896.

No. 96.

A. D. 1896.

AN ACT to Regulate the Sale of Milk, Butter and Cheese, and to Prescribe Penalties for the Unlawful Sale or Exposure for Sale of Any Watered or Adulterated or Unwholesome Milk and Imitations or Adulterations of Butter and Cheese.

No. 123.

Section 1. Be it enacted by the General Assembly of the State of South Carolina, That it shall not be lawful for any person or corporation or agent knowingly to sell or expose for sale, or deliver for domestic use, or to be converted into any product of human food whatsoever, any unclean, impure, unwholesome, adulterated or skimmed milk, or milk from which has been held back what is known as strippings, or milk taken from an animal having disease, sickness, ulcers or abscesses: Provided, That this Section shall not prohibit the sale of buttermilk or of skimmed milk when sold as such.

Sale of milk, butter and cheese regulated.

Section 2. That for the purposes of this Act, milk which is proven by any reliable test or analysis to contain less than three per centum of butter-fat and eight and one-half per cent. of solids other than butter-fat shall be regarded as skimmed milk.

What is skimmed milk.

Section 3. That for the purposes of this Act, every article, substance, or compound, other than produced wholly from pure whole milk, or cream from the same, made in semblance of butter or of cheese, and designed to be used as a substitute for butter or cheese made from pure milk or cream from the same, is hereby declared to be imitation butter or imitation cheese, as the case may be: Provided, The use of salt, rennet and harmless coloring matter for coloring the product of pure milk or cream shall not be construed to render such product an imitation.

What is imitation butter or cheese.

Section 4. That no person shall coat, powder or color with annatto or any coloring matter whatever any substance designed to be used as a substitute for butter or for cheese whereby such substance or product shall be caused to resemble butter or cheese the product of pure milk or cream.

Coloring matter in substitutes for butter or cheese prohibited.

Section 5. That no person shall combine any animal fat or vegetable oil or other substance with butter or cheese, or combine with butter or cheese, or with animal fat or vegetable oil or combination of the two, or any other substance or substances whatever, any annatto or any other coloring matter for the purpose or with the effect of imparting

Combinations of certain ingredients prohibited.

A. D. 1896.

thereto a yellow color, or any shade of yellow, so that such substance shall resemble genuine yellow butter or cheese, nor introduce any such coloring matter or any such substance into any of the ingredients of which such substitute may be composed: Provided, That nothing in this Act shall be construed to prohibit the use of salt, rennet or harmless coloring matter for coloring the products of pure milk or cream from the same.

Manufacture and sale of imitation butter or cheese prohibited, when.

Section 6. That no person shall by himself, or employee, or agent, produce or manufacture, or sell, or keep for sale, or offer for sale, any imitation butter or imitation cheese made or compounded in violation of this Act, whether such imitation shall have been made or produced in this State or elsewhere: Provided, That this Act shall not be construed to prohibit the manufacture and sale of imitation butter or imitation cheese, under the regulations hereinafter provided, not manufactured or colored as herein prohibited.

Substitutes to be so marked.

Section 7. That every person who lawfully manufactures any substance designed to be used as a substitute for butter or for cheese shall mark by branding, stamping or stenciling upon the top and side of each tub, box or other vessel in which such substitute shall be kept, or in which it shall be removed from the place where produced, in a clear and durable manner, in the English language, the words "substitute for butter," or "substitute for cheese," as the case may be, in printed letters in plain Roman type, each of which shall be not less than one inch in height and one-half inch in breadth.

Possession of unmarked imitations prohibited.

Section 8. That no person shall have in his possession or control any substance designed to be used as a substitute for butter or for cheese unless the tub, box or other vessel containing the same shall be clearly and durably marked as provided in Section 7 of this Act: Provided, That this Section shall not apply to a person who has such imitation butter or imitation cheese in his possession for the actual consumption of himself or family.

Sale of, prohibited.

Section 9. That no person, by himself or agent or employee, shall sell or offer for sale any imitation butter or imitation cheese under the pretense that the same is genuine butter or genuine cheese.

Section 10. That no keeper or proprietor of any hotel or restaurant, or other person having charge thereof, shall

knowingly use, or serve therein, either as food or for cooking purposes, any imitation butter or cheese, as defined in Section 3 of this Act, unless such keeper, proprietor or other person in charge of such place of entertainment shall keep constantly posted in a conspicuous place in the room or rooms, or other place or places where such imitations shall be served, so that the same may be easily seen and read by any person in such room or place, a white card, not less than ten by fourteen inches in size, on which shall be printed in the English language, in plain black Roman letters, not smaller than one inch in height and one-half inch in width, the words "imitation butter used here," or "imitation cheese used here," as the case may be, and the cards shall not contain any other impressions than the words above prescribed.

A. D. 1896.
Hotels and
restaurants
using imitations
to advertise the
same.

Section 11. That any person violating any provisions of this Act shall be guilty of a misdemeanor and may be proceeded against by any of the processes provided for misdemeanors, and may be tried by any Court having jurisdiction of misdemeanors in this State, and upon conviction shall be punished by a fine not to exceed one hundred dollars and not less than ten dollars. One-half of said fine to go to the informer through whose agency such conviction shall be had.

Violations a
misdemeanor.

Section 12. That the sworn certificate of "the Chemist of the Clemson Agricultural College of South Carolina" of analysis of a suspected sample shall be recognized in any and all Courts of this State as prima facie evidence of such analysis and of the composition and character of such sample.

Evidence of
chemist of
Clemson Col-
lege.

Section 13. That this Act shall take effect from and after its approval.

Section 14. That all laws in conflict with this Act be, and the same are hereby, repealed.

Approved the ninth day of March, A. D. 1896.

No. 97.

AN ACT to Regulate the Sale of Dressed Beef, Veal and Mutton in This State.

No. 91.

Section 1. Be it enacted by the General Assembly of the State of South Carolina, That on and after the passage of this Act it shall be unlawful for any person or persons in

A. D. 1896.

Hide of dressed
beef, veal and
mutton to be
exhibited,
when.

this State to sell or offer for sale or barter any dressed beef, veal or mutton, unless the person or persons offering for sale or barter shall upon demand made within ten (10) days after killing or offering the said beef, veal or mutton for sale or barter do publicly exhibit the hide, with ears and marks, if any, attached: Provided, This Act shall not apply to beef, veal or mutton slaughtered in licensed butcher pens within incorporated towns.

Non-compliance a misdemeanor.

Section 2. That any one violating the provisions of this Act shall be deemed guilty of a misdemeanor, and upon conviction shall be fined not exceeding twenty-five dollars or imprisonment not exceeding thirty days to the County jail or the County chain gang: Provided, That it shall be a complete defense to any prosecution instituted under the provisions of this Act to show that the fresh meats sold were slaughtered outside of the limits of this State: Provided, further, That the provisions of this Act shall not apply to the Counties of Aiken, Anderson, Abbeville, Barnwell, Charleston, Chester, Chesterfield, Clarendon, Darlington, Edgefield, Fairfield, Georgetown, Greenville, Horry, Kershaw, Laurens, Lexington, Lancaster, Marlboro, Marion, Oconee, Orangeburg, Pickens, Sumter, Spartanburg, Saluda, Richland, Union, York, Williamsburg, Florence and Newberry.

Approved the ninth day of March, A. D. 1896.

No. 98.

No. 94. AN ACT to Further Regulate Fishing for Profit in the Waters of This State.

Fishing for profit regulated. Section 1. Be it enacted by the General Assembly of the State of South Carolina, That after the passage and approval of this Act it shall not be lawful for a citizen of one County to fish for profit in the waters of another County without first obtaining therefor from the Treasurer of the County in which he intends to so fish a license to do so.

Section 2. That before issuing said license the County Treasurer shall demand and receive from each party so intending to fish the sum of one hundred dollars, to be placed to the credit of the general County fund.

A. D. 1896.

License fee.

Section 3. That this Act shall not apply to any Counties in this State other than the Counties of Colleton and Berkeley.

Applies only to Colleton and Berkeley Counties.

Section 4. That any person violating the provisions of this Act shall be punished by fine or imprisonment or both in the discretion of the Court.

Punishment for violations.

Approved the ninth day of March, A. D. 1896.

No. 99.

AN ACT to Amend Section 420 of the Criminal Statutes, Vol. II of the Revised Statutes, Relating to Deer. No. 40.

Section 1. Be it enacted by the General Assembly of the State of South Carolina, That Section 420 of the Criminal Statutes, Vol. II of the Revised Statutes, be, and the same is hereby, amended in the first paragraph thereof by striking out the word "Georgetown" in the fifth line thereof. So that the said Section will read as follows:

Section 420. It shall not be lawful for any person in this State to kill any deer, or to worry them with dogs or otherwise, with intention of destroying them, between the first day of February and the first day of September in any year hereafter, except in the Counties of Clarendon, Colleton, Williamsburg, Marlboro, Kershaw, Horry, Darlington, Marion and Berkeley, in which Counties it shall not be lawful between the first day of February and the first day of August. Any person violating this Section shall upon conviction thereof be fined not less than ten nor more than twenty dollars, or be imprisoned not less than ten nor more than twenty days, which fine, if imposed, shall be recoverable before any Court of competent jurisdiction; one-half thereof shall go to the informer and the other half thereof to the use of the said County.

Unlawful to kill deer; when and where.

Approved the twenty-fifth day of February, A. D. 1896.

A. D. 1896.

No. 100.

No. 130. AN ACT to Amend an Act Entitled "An Act to Amend Section 1687 of the General Statutes, Relating to the Hunting of Deer." Approved December 24th, 1886, and Embraced in Section 420 of the Revised Statutes 1893, Vol. 2.

Section 1. Be it enacted by the General Assembly of the State of South Carolina, That an Act entitled "An Act to amend Section 1687 of the General Statutes," approved December 24th, 1886, and embraced in Section 420 of the Revised Statutes 1893, Vol. 2, be, and the same is hereby, amended by striking out the word "February" on the 4th line of said last named Section and inserting "January," and by striking out on the 5th line thereof the word "Georgetown." So that said Section as amended shall read:

Unlawful to
kill deer; when
and where.

Section 420. (1687.) It shall not be lawful for any person in this State to kill any deer, or to worry them with dogs or otherwise, with intention of destroying them, between the first day of January and the first day of September in any year hereafter, except in the Counties of Clarendon, Colleton, Williamsburg, Marlboro, Kershaw, Horry, Darlington, Marion and Berkeley, in which Counties it shall not be lawful between the first day of February and the first day of August. Any person violating this Section shall upon conviction thereof be fined not less than ten nor more than twenty dollars, or be imprisoned not less than ten nor more than twenty days, which fine, if imposed, shall be recoverable before any Court of competent jurisdiction; one-half thereof shall go to the informer and the other half thereof to the use of the said County.

Approved the ninth day of March, A. D. 1896.

No. 101.

No. 72. AN ACT to Amend Section 1633 General Statutes, Being Section 387 of Revised Statutes, so as Include Hunting, Shooting and Fishing.

Section 1. Be it enacted by the General Assembly of the State of South Carolina, That Section 1633 of the General Statutes, being Section 387 of the Revised Statutes of 1893, be, and is, amended so that said Section when so amended

shall read as follows: "Section 387. (1633.) No public sports or pastimes, as bear-baiting, bull-baiting, foot-ball playing, horse-racing, interludes or common plays, or other games, exercises, sports or pastimes, such as hunting, shooting, chasing game, or fishing, shall be used on the Lord's day by any person or persons whatsoever; and every person or persons offending in any of the premises shall upon conviction be deemed guilty of a misdemeanor, and be subject to a fine not to exceed fifty dollars or imprisonment not to exceed thirty days.

A. D. 1896.
Public sports
prohibited on
the Lord's day.

Approved the second day of March, A. D. 1896.

No. 102.

AN ACT to Further Regulate the Catching of Sturgeon and Shad in the Waters of the State. No. 160.

Section 1. Be it enacted by the General Assembly of the State of South Carolina, That on and after the passage of this Act it shall be lawful for any person to catch, trap, purchase or sell sturgeon from the 1st day of April to the 1st day of August of every year, and shad from the 1st day of January to the 15th day of March of each year, with seines or gill nets, and until the 30th day of April with dip nets.

Catching of
sturgeon and
shad regulated.

Section 2. It shall be unlawful at any time during the year to stretch any staked nets, seines, wire fences or traps more than half way across the river or streams, or to use any seines in any of the lakes of this State except where such basins or lakes lie wholly within limits of private property of this State.

Staked nets,
seines, &c., not
to extend more
than half way
across stream.

Section 3. That any person who shall catch or trap, as provided in Section 1, any sturgeon or shad at any other time during any year than is set out in Sections 1 and 2 of this Act shall be deemed guilty of a misdemeanor and on conviction shall be punished by a fine of not more than one hundred dollars or less than thirty (\$30.00) dollars or imprisonment for not more than 30 days or less than 10 days. It shall be the duty of the Terrapin Commissioner to enforce the provisions of this Act, and that he be authorized

Violations of
Sections 1 and 2
a misdemeanor.

A. D. 1896.

and empowered to appoint deputies to assist in the enforcement thereof, and he shall receive for such services the additional salary of \$500, to be paid out of the funds in the hands of the Treasurer collected from parties violating this Act.

Section 4. That all Acts or parts of Acts inconsistent with this Act be, and are hereby, repealed.

Approved the ninth day of March, A. D. 1896.

No. 103.

No. 93. AN ACT to Prohibit the Catching and Gathering Oysters and Terrapins Within the Limits of the State Except Upon Certain Conditions.

Catching of
oysters or terrapins
for export
regulated.

Section 1. Be it enacted by the General Assembly of the State of South Carolina, From and after the passage of this Act it shall not be lawful to engage in the business of catching oysters or terrapins within the limits of this State, for export or sale beyond this State, or to export, carry for sale or sell from this State any oysters or terrapins gathered or caught within this State, without first procuring a license so to do from the Treasurer of the County in which such business is intended to be engaged in, and the said Treasurer is hereby authorized and required to issue such license upon the payment to him thereupon for the use of the County of the sum of \$500.00 and the additional sum of fifty dollars for each and every hand to be employed in said business, said license to run for one year from the date thereof, but it shall not authorize the holder thereof or protect him in carrying such business within the period now provided by law for the catching of terrapins: Provided, That nothing herein contained shall prohibit any land owner from carrying on or authorizing to be carried on said business in oysters or terrapins caught or gathered from within the boundaries of his own land.

Violations of
Section 1 a mis-
demeanor.

Section 2. That every person who shall offend against the provisions of this Act shall be deemed guilty of a misdemeanor, and on conviction thereof shall be liable to a pen-

alty not exceeding \$500 or imprisonment not exceeding two (2) years for each and every violation of any of the provisions of this Act. A. D. 1896.

Section 3. That all Acts and parts of Acts inconsistent herewith are hereby repealed.

Approved the ninth day of March, A. D. 1896.

No. 104.

AN ACT to Amend Section 2460 of the General Statutes of 1882, No. 121.
Relating to Age of Consent, Appearing as Section 115 of the
Criminal Statutes, Vol. II of the Revised Statutes of 1893, Re-
lating to the Age of Consent.

Section 1. Be it enacted by the General Assembly of the State of South Carolina, That Section 2460 of the General Statutes of 1882 (appearing as Section 115 of the Criminal Statutes in Vol. II of the Criminal Statutes of 1893) be, and the same is hereby, amended by striking out said Section, and in lieu thereof inserting the following: If any person shall unlawfully and carnally know and abuse any woman child under the age of fourteen years, every such unlawful and carnal knowledge shall be felony, and the offender thereof being duly convicted shall suffer as for a rape: Provided, however, That in any case where the woman or child is over the age of ten years and the prisoner is found guilty the jury may find a special verdict recommending him to the mercy of the Court, whereupon the punishment shall be reduced to imprisonment in the Penitentiary for a term not exceeding fourteen years at the discretion of the Court.

Carnal knowl-
edge of woman
child under
fourteen years a
felony.

Approved the ninth day of March, A. D. 1896.

No. 105.

AN ACT to Provide Offenses Against the Election and Registration Laws. No. 113.

Section 1. Be it enacted by the General Assembly of the State of South Carolina, That all laws now of force in reference to crimes concerning elections and the conduct and

A. D. 1896.

Crimes against
election laws
continued.

management thereof be, and the same are hereby, continued of force and made applicable to elections under the State Constitution ratified on the fourth day of December, eighteen hundred and ninety-five.

Willful neglect
of duty or cor-
rupt conduct a
misdemeanor.

Section 2. If any of the Commissioners or Managers of Election, or any member of the State or County Board of Canvassers, or any member of the Board of Registration, or Supervisor of Registration, or any officers on whom any duty is imposed by the election or registration laws, shall be guilty of any willful neglect of the same, or of any corrupt conduct in executing the same, and be thereof convicted, he shall be deemed guilty of a misdemeanor punishable by fine not exceeding five hundred dollars or imprisonment at hard labor not exceeding one year.

Improperly
furnishing reg-
istration certi-
ficates a misde-
meanor.

Section 3. That any member of the Boards of Registration, or any Supervisor of Registration, who shall prepare and furnish to voters, or permit to be prepared and furnished to voters, registration certificates at other times than the times at which the books of registration are to be opened according to law for that purpose, and shall be convicted thereof, shall be deemed guilty of a misdemeanor and fined not more than five hundred dollars or imprisonment at hard labor not more than one year.

Receiving a
fraudulent cer-
tificate a misde-
meanor.

Section 4. That any elector knowingly receiving a registration certificate issued in violation of the Registration Law of this State, or making use of the same, on conviction thereof shall be deemed guilty of a misdemeanor and fined not exceeding the sum of two hundred dollars or imprisoned at hard labor not more than three months.

Approved the ninth day of March, A. D. 1896.

No. 106.

No. 9. AN ACT to Amend Section 216 of the Criminal Statutes, Vol. 2, Revised Statutes 1893, Relating to Prize Fighting.

Section 1. Be it enacted by the General Assembly of the State of South Carolina, That Section 216 of the Criminal Statutes, Vol. 2 Revised Statutes of 1893, be, and the same is hereby, amended by adding the following at the end of

said Section: Any person or persons, either upon their personal responsibility or as officers or agents of any club or association, who shall aid or abet by offer of a purse of money or other valuable inducement, or by letting or giving the use of a house or grounds, or who shall in any way whatsoever effect or cause a violation of this Section, shall be deemed guilty of a misdemeanor, and upon conviction shall be punished by imprisonment not exceeding six months or by a fine not exceeding two hundred dollars. So that said Section as amended shall read: Section 216. It shall be unlawful for any person or persons to engage in prize fighting, or to be a second in a prize fight, within the limits of this State; and any person violating the provisions of this Section shall be punished by a fine of not exceeding one thousand dollars or imprisonment not exceeding three years, or both fine and imprisonment, in the discretion of the Court. Any person or persons, either upon their responsibility or as officers or agents of any club or association, who shall aid or abet by offer of a purse of money or other valuable inducement, or by letting or giving the use of a house or grounds, or who shall in any way whatsoever effect or cause a violation of this Section, shall be deemed guilty of a misdemeanor, and upon conviction shall be punished by imprisonment not exceeding six months or by a fine not exceeding two hundred dollars.

A. D. 1896.
 Prize-fighting
 prohibited.

Approved the eleventh day of February, A. D. 1896.

No. 107.

AN ACT Relating to the Care of Infants with Diseases of the Eye. No. 43.

Section 1. Be it enacted by the General Assembly of the State of South Carolina, That should one or both eyes of an infant become reddened or inflamed at any time after birth, it shall be the duty of the midwife or nurse or person having charge of said infant to report the condition of the eyes at once to the local Board of Health of the city or town in which the parents of the infant reside.

Infants with
 diseased eyes
 to be reported.

A. D. 1896.

Copies of this
Act to be fur-
nished mid-
wives.

Section 2. That the Secretary of State shall cause a sufficient number of copies of this Act to be printed, and supply the same to Health Officers and Health Committees, whose duty it shall be to furnish a copy to each person who is known to act as midwife or nurse in the cities and towns for which they have been appointed.

Punishment
for violations.

Section 3. Any failure to comply with the provisions of this Act shall be punishable by a fine not to exceed twenty-five dollars or imprisonment not to exceed one month, or both.

Not to apply
to towns of less
than 1000.

Section 4. This Act shall not apply to towns or cities of less than one thousand inhabitants.

Approved the twenty-fifth day of February, A. D. 1896.

No. 108.

No. 180. AN ACT to Regulate the Dieting of All Prisoners Before and After Conviction When in the Custody of the Supervisors and Sheriffs of This State.

Fees for diet-
ing prisoners.

Section 1. Be it enacted by the General Assembly of the State of South Carolina, That after the approval of this Act, the County Supervisors and County Boards of Commissioners of the several Counties of this State shall diet all prisoners while in their care and custody outside of the jails at actual cost, and that all Sheriffs of the several Counties of this State shall diet all prisoners while confined within jails, either prior to conviction or after conviction, at twenty cents per diem.

Chain gang.

Section 2. That the said County Supervisors and Boards of Commissioners shall furnish suitable covering and clothing when necessary to all prisoners sentenced to chain gangs in the various Counties of this State, at actual cost, to be paid by the various Counties respectively: Provided, The provisions of this Bill shall not apply to the Counties of Marion, Charleston, Colleton, Barnwell, Richland, Berkeley, Sumter, Spartanburg, Kershaw, Anderson, Pickens, Williamsburg, Newberry, Union, Georgetown, Aiken, Beaufort, Lexington, Clarendon, Oconee, York, Abbeville and Darlington.

Exceptions.

Approved the ninth day of March, A. D. 1896.

No. 109.

A. D. 1896.

AN ACT to Amend an Act Entitled "An Act to Provide a System of County Government for the Several Counties of This State, so Far as It Relates to the Working and Maintaining the Roads and Highways in This State."

No. 185.

Section 1. Be it enacted by the General Assembly of the State of South Carolina, That all roads, highways and ferries that have been laid out or appointed by virtue of an Act of the General Assembly, or any order of Court, or by an order of the County Board of Commissioners, are hereby declared to be public roads and ferries, and the Townships Boards of Commissioners in each township, together with the County Supervisor, shall have the supervision and control of the public roads in their respective townships; they are hereby incorporated, and the Township Board of Commissioners of such township shall be their corporate name. They shall have the right to sue and be sued, plead and be impleaded, in any of the Courts of this State. The Township Board of Commissioners and the County Board of Commissioners, as hereafter set forth in this Chapter, shall have full power and authority to order the laying out and repairing of public roads where necessary, to appoint where bridges or ferries and fords shall be made, to discontinue such roads, bridges, and ferries as shall be found useless, and to alter roads so as to make them more useful.

Public roads,
highways and
ferries; super-
vision of, &c.

Section 2. That the Township Board of Commissioners of the several townships of each County, subject to the approval of the County Board of Commissioners or the Supervisor of the County, shall, on the first Tuesday of April next, or within four weeks thereafter, divide their respective townships into suitable road districts, and make a record thereof in a book kept for that purpose, and annually thereafter may make such alterations therein as they may deem proper, and cause a brief description thereof to be made on the township records, and also to furnish each Overseer with a description of his road district. The Township Board of Commissioners of each township at their annual meeting, and annually thereafter, shall elect from the qualified electors of their townships liable to road duty one Overseer for each road district, whose term of office shall be two years from the date of appointment, and who shall receive such compensation as the County Board of Commission-

Township
Commissioners;
powers and
duties of.

Overseers; how
elected, and
duties of.

A. D. 1896.

ers may fix. Such Overseer shall not be compelled to serve more than one term; and each Overseer who refuses or neglects to qualify and serve shall forfeit and pay the sum of ten dollars and costs, or be sentenced to the County chain gang, suit to be brought by the Township Commissioners before the nearest Magistrate. Money so collected shall go into the road fund of the County, and be credited to the road district from which it was collected. That when any vacancy shall occur in the office of Overseer by death, resignation or otherwise, the Township Board of Commissioners wherein such vacancy occurs shall appoint some suitable person to fill vacancy: Provided, That such Overseer may appoint some suitable person liable to road duty on his road a warner, and such person shall be exempt from road duty for the time he acts as warner.

Dimensions of
public roads;
power of Com-
missioners to
change loca-
tion of: how
right of way
obtained, &c.

Section 3. The road bed shall be not less than sixteen nor more than twenty feet wide, exclusive of ditches, roots and runners, unless so ordered by the County Board of Commissioners. The County Board of Commissioners of the several Counties of the State are hereby authorized and empowered to change the location of any of the public roads in any of the Counties of this State, where in their judgment steep hills and rough places in said roads can be avoided by so doing, and where such change would be to the material interest of the traveling public, and in like manner condemn abandoned bridge and ferry sites, and assess damages therefor as herein provided: Provided, That the County Board of Commissioners shall grant the persons owning the land where such alteration is to be made, and interested in such change or alteration, notice of the day on which the matter of the change or alteration of such road shall be considered. Such persons shall have the right to be heard for or against such change or alteration, and offer testimony for or against the same. For the purpose of relocating such roads they shall have the power to call to their assistance a surveyor, who shall survey and lay off such roads, under their direction, so the grade shall not exceed seven and a half inches to the rod wherever practicable. The said Commissioners shall have the power to condemn the land so laid off. If the owner or owners of such lands shall signify his or their refusal to the opening of a highway through such lands without previous compensation,

the County Board of Commissioners requiring such right of way shall give ten days' notice in writing to the person or persons through whose lands such right of way is required of their intention to establish such right of way, naming in such notice a person who will act as referee for them in the location thereof, and such owner or owners shall, within ten days thereafter, appoint a referee for the same purpose. The referee so appointed shall within ten days thereafter meet at some convenient place and appoint a third referee, and the three referees so appointed shall constitute a Board of Referees for the location of such highways and to determine the compensation and damages for the same. From the decision of the Board an appeal shall be allowed to the Circuit Court for the County in which said road is proposed to be opened, where the trial shall be de novo before a jury, and the judgment so obtained shall be paid by the County Board of Commissioners as other claims against the County are paid: Provided, That no road be established as set forth in this Act shall be so established as to run within fifty yards of a dwelling house without the consent of the owner of said dwelling; and it shall be the duty of each and every Overseer to work the roads under his charge thoroughly as he goes, arching the same to centre, with drain on each side to convey the water, and when necessary to protect such drains from washing, by placing in stone, gravel, or other substance; whenever it is necessary to convey water to or provide for it to cross any road, he shall have the drains across such road laid in stone, gravel, or other hard substance, and of such width as to afford an easy crossing where a bridge may not be necessary, and he shall protect the roads by suitable drains from interference by cultivation or otherwise; to open or cause to be opened all public roads and highways which shall have been or may hereafter be laid out and established in his road district, the same to be kept in repair, and remove or cause to be removed all obstructions that may from time to time be found therein; for which purpose the Supervisors are hereby authorized to enter upon any uncultivated lands or improved lands unencumbered by crops near to or adjoining such roads, to cut and carry away timber, except trees or groves on improved lands planted or left for ornament or shade; and to dig or cause to be dug and carried away any earth, gravel, sand,

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How public
roads shall be
worked by
Overseers.

A. D. 1896.

or stone which may be necessary to make, improve, or repair said road, for which compensation shall be made, and to enter on any lands adjoining or lying near the road, to make such drains or ditches through the same as he may deem necessary for the benefit of the roads, doing as little injury to said lands and improvements thereon and timber as the nature of the case and the public good will permit; and the drains and ditches so made shall be kept open by such Overseers, and shall not be obstructed by the owner or occupier of such lands, or any other person or persons having the same in charge, under the penalty of forfeiting a sum not exceeding ten dollars, or imprisonment for not less than fifteen nor more than thirty days for each and every offense, to be sued for by the Overseer, and paid over when collected by the Magistrate before whom action is brought to the County Treasurer and applied to the road district from which it was collected.

Who liable to
road duty.

Section 4. That all able-bodied male persons and all male persons able to perform, or cause to be performed, the labor herein required, between the ages of eighteen and fifty years, except ministers of the gospel in actual charge of a congregation, and persons permanently disabled in the military service of this State, and persons who served in the late war, shall be liable annually to do and perform four days' labor on the highways, under the direction of the Overseer of the road district in which he shall reside; and it shall require eight hours of actual work to constitute a day's work under this Section, except in Horry County, where the ages shall be from twenty-one to fifty years: Provided, further, That if any person liable to road duty shall pay to the County Treasurer the sum of two dollars, except the County of Aiken, where it shall be one dollar, except the County of Kershaw, where the commutation tax shall be one dollar, the same shall be received in lieu of the labor required upon the public roads: Provided, That the County Board of Commissioners of any County may cause to be levied an additional tax, not to exceed one mill, on all of the taxable property of any township in their County, when so required by a written petition signed by two-thirds of the freeholders of such township, such tax to be collected as other taxes, and to be expended upon the roads and highways of each township.

Section 5. That it shall be the duty of every Overseer to make out a list of all persons liable to road duty. Said Overseer is hereby authorized to demand of any person or corporation the name of any and all hands in his, her or its employ; and any person or corporation receiving of such Overseer, or warner by him appointed, such demand failing or refusing to furnish a list containing the names of all male employees shall be guilty of a misdemeanor, and for every such offense shall be subject to a fine of not less than ten dollars nor more than thirty dollars, or imprisonment in the County jail for not less than ten nor more than thirty days, and place said list in the hands of the warner, who shall serve notice, either by seeing the parties personally and giving verbal notice or leaving written notice at the residence of the party, to order out every such person resident as aforesaid, between the first day of January and the first day of December annually, to do and perform the work aforesaid on the public road to which each person may be assigned, said assignment to be on roads near the residence of said party, or any road to be changed or opened within four miles. And if any person, being warned by such Overseer as aforesaid, shall refuse or neglect, having had at least twelve hours' notice, to attend by himself or substitute to the acceptance of the Overseer, or, having attended, shall refuse to obey the direction of the Overseer, or shall spend the time in idleness or any inattention to the duties assigned him, shall be guilty of a misdemeanor, and on conviction thereof shall be fined not more than ten dollars nor less than five dollars and costs, or be sentenced to County chain gang not more than nor less than five days.

Section 6. That in case any person shall remove from one County to another, or from one township in the same County, or one district to another in the same township, who has prior to such removal performed the whole or any part of the labor aforesaid, or in any other way has paid the whole or any part of the amount aforesaid in lieu of such labor, and shall produce a certificate of the same from the Overseer of the proper district, such certificate shall be a complete discharge for the amount therein specified.

Section 7. That any person warned to perform any labor upon the public roads and highways under any provisions of this Act shall, by himself or a suitable substitute who

A. D. 1866.

Overseer to make out list of persons liable to road duty; corporations to furnish Overseers with names of employees, &c.

Removal from one County to another, &c., after working the road.

Persons warned to perform the labor and furnish tools.

A. D. 1896.

shall not be under the age of sixteen years, appear at the time and place appointed by the Overseer at the hour of seven o'clock in the forenoon, and shall bring with him such necessary tools and implements used on a farm as the Overseer may direct.

Residences,
where.

Section 8. That for the purpose provided for in the preceding Section of this Act, the residence of any person who has a family shall be held to be where his family resides, and the residence of any other person shall be held to be where he boards or may be found. All tramps or persons not having any visible means of obtaining a livelihood shall be subject to road duty.

Overseers to
account for
tools, to note
the labor per-
formed, &c.

Section 9. And every Overseer is hereby required to account to the Board of Township Commissioners at their annual settlement for all tools received, material used or funds expended, under oath, under this Act, and they shall also return a full and true list and statement of the names of all persons within their respective districts who have been ordered out to perform the labor as required by this Act, and after each working to note the hours actually worked, work each hand does, and he shall make and furnish a list to the Board of Township Commissioners of those who have refused or neglected to perform the same, and shall by oath attest the correctness of each list so kept; and all fines and forfeitures used for and recovered under the provisions of this Act shall be paid over on demand by the Magistrate or Constable collecting the same to the County Treasurer wherein such fines or forfeitures accrued; and the several Overseers shall also render an account to the Township Board of Commissioners at the annual settlement of all moneys expended and all property remaining in their hands at the time of the settlement, also all judgments that remain unpaid, and the name of the judgment debtor, and Magistrate before whom such judgments were obtained, and the amounts thereof; and the Township Board of Commissioners shall make such order as to the prosecution of the suits by the Overseer of the proper district against such delinquents as in the judgment of the Township Board of Commissioners the interest of the township may require.

Overseers to
turn over all
property to their
successors.

Section 10. That all property that may remain in the hands of the Overseer at the time of the annual settlement with the Township Board of Commissioners shall be turned

over to his successor in office as soon as such successor shall be elected and qualified, taking a receipt therefor, and deposit said receipt with the Township Board of Commissioners. It shall be lawful for any Overseer to sue out executions on any judgment that remains unpaid within his proper district at any time when, in his opinion, the same can be collected, and the money so recovered and collected shall be paid over to County Treasurer as provided in the foregoing Section by the Magistrate so collecting.

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Section 11. That the County Supervisor of Roads and Highways within the County be, and is hereby, authorized to have the Overseer to construct footpaths or bridges over streams, swamps, marshes, and along the highways of his County.

Foot paths
and bridges
over streams.

Section 12. That each Overseer within his district may erect and keep up, at the expense of the County, at the forks and cross roads a post and guide-board, or finger-board, containing an inscription in legible letters directing the way and distance to the town or towns, or public place or places, situated on each road, respectively.

Guide finger-
boards.

Section 13. That if any person shall willfully demolish, throw down, alter, or deface any guide-board, every person so offending shall, upon conviction thereof before any Magistrate of the proper County, be fined in any sum not exceeding ten dollars and the cost of suit, or be sentenced to labor on the public works of the County for a term of not more than thirty days, and the money, when collected, shall be by the Magistrate collecting the same paid over to the County Treasurer.

Willfully de-
molishing, a
misdemeanor.

Section 14. That the County Board of Commissioners be, and they are hereby, authorized to furnish sign-boards, ploughs, scrapers, or other tools for the use of the several districts, at their discretion, to be paid for out of any moneys in the County treasury not otherwise appropriated, and turn the same over to Chairman of the Township Board of Commissioners and take his receipt therefor. The Township Board of Commissioners shall take a receipt from each Overseer for such implements as they may deliver to him, showing the number, kind and condition thereof, and such Overseer shall be liable for any injury or damage that may result to such implements, or to any of them, by improper use thereof, or by unnecessary exposure to the weather,

What County
Board of Com-
missioners shall
furnish for the
roads.

A. D. 1896.

during the time the same may be in his possession; and he shall on the first Tuesday of February annually return the same to said Township Board of Commissioners. The amount for which Overseers may be liable for such improper use or neglect may be recovered by action in the name of the Township Board of Commissioners, and any person using the ploughs, scrapers or other tools furnished by the County Board of Commissioners for other purposes than the purpose for which the same were furnished shall be fined not more than fifty dollars nor less than five dollars, or imprisonment not less than ten nor more than thirty days.

County Board
of Commissioners
may hire
roads worked.

Section 15. That the County Board of Commissioners in the several Counties may, in their discretion, authorize and require the County Supervisors to hire and employ Overseers and laborers upon the public highways under control of Overseers at such compensation as the Board may determine. Commutation taxes and such other funds as may be applicable to highways may be used in payment for such work.

Penalties for
neglect or re-
fusal to perform
duty by Over-
seers.

Section 16. That each and every Overseer who shall neglect or refuse to perform the several duties enjoined on him by this Act, or who shall, under any pretense whatever, give or sign any receipt or certificate purporting to be a receipt or certificate for labor in work performed or money paid, unless the labor shall have been performed or money paid prior to the giving or signing of such receipt or certificate, shall forfeit for every such offense not less than ten dollars nor more than fifty dollars, to be recovered by an action before any Magistrate of the County; and it is hereby made the duty of the Township Board of Commissioners to prosecute all offenses against the provisions of this Section: Provided, That if any Overseer conceives himself aggrieved by the judgment of such Magistrate, he may, on giving sufficient security, in double the sum of the judgment found against the party offending, to said Magistrate for the payment of the cost, appeal to the Court of Common Pleas, which shall make such order therein as to it may appear just and reasonable.

Unlawful to
work any but
public roads.

Section 17. That it shall be unlawful for any Overseer to perform or cause labor to be performed on any road not regularly laid out and established by law.

Section 18. That any time during the year, when any public highway shall be obstructed, it shall be the duty of the Overseer of the district in which the same may be forthwith to cause such obstruction to be removed, for which purpose he shall immediately order out such persons liable to do work upon the public highways of his road district as he may deem necessary to remove said obstructions. If the person or persons thus called out shall have performed their four days' labor upon the public highways, the Overseer shall give to such person or persons a certificate for the amount of labor performed, and said certificate shall apply on the labor that may be due for such person or persons for the ensuing year.

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Obstructions
in roads, how
removed.

Section 19. That if any person or persons, corporations, or any conductor of any train of railroad cars, or any other agent or servant of any railroad company, shall obstruct unnecessarily any public road or highway, by permitting any railroad car or cars or locomotive to remain upon or across any street, public road or highway for a longer period than five minutes, after notice to remove said cars has been given to conductor, engineer, agent, or such other person in charge of said train, or shall permit any timber, wood or other obstructions to remain upon or across any such street, road or highway to the hindrance or inconvenience of travelers, or any person or persons passing along or upon such street, road, or highway, every person or corporation so offending shall forfeit and pay for every such offense any sum not exceeding twenty nor less than five dollars, and shall be liable for all damages arising to any highway, to be such obstruction or injury to such road or highway, to be recovered by an action at the suit of the Township Board of Commissioners in which such offense shall have been committed, or any person suing for the same, before any Magistrate within the County where such offense shall have been committed, or by indictment in the Court of General Sessions, or suit in the Court of Common Pleas. And all fines so accruing under the provisions of this Section, when collected, shall be paid over by the Magistrate to the County Treasurer for the district in which such offense was committed. And every twenty-four hours such corporation, person or persons, as aforesaid, after being notified, shall suffer such obstructions, to the hindrance or inconvenience

Obstructions
of, how pun-
ished.

A. D. 1896.

of travelers or any person going along or upon such road or highway, shall be deemed an additional offense against the provisions of this Act.

Obstruction of
by railroad corpora-
tions or
their agents,
how punished.

Section 20. That every railroad company or other corporation, the servant or servants, agent or agents, employee or employees, of which shall in any manner obstruct any street, public road or highway shall be liable to pay all fines which may be assessed against such servant or servants, agent or agents, employee or employees, for so obstructing any such street, public road or highway, and such liability as may be enforced by execution against said railroad company or other corporation on the judgment rendered against such servant or servants, agent or agents, employee or employees, for so obstructing such street, public road or highway.

Drainage of
public road not
to be obstructed

Section 21. It shall be unlawful for any railroad company to obstruct the drainage of any public road or highway by its road bed or otherwise, or empty the water from its ditches into any public road or highway, to the injury of said highway; and if any railroad company, being warned by the Overseer of the proper district by leaving a written notice with any agent, or informing any station agent of said railroad company personally, shall refuse or neglect to remedy the same to the acceptance of the Overseer, shall forfeit and pay any sum not exceeding fifty nor less than twenty dollars, to be recovered by an action at the suit of the Township Board of Commissioners before any Magistrate; and every ten days such railroad company, after being notified, shall neglect or refuse to remedy such offense shall be deemed an additional offense against the provisions of this Act; and the money so collected shall be paid by the Magistrate so collecting to the County Treasurer, and the money so paid over shall become a part of the County road fund.

Duty of Overseers as to railroad crossings.

Section 22. It shall be the further duty of such Overseer to cause each railroad company to construct and keep in good repair the road bed of all public roads across the road bed of said railroad company; and if any railroad company, being duly warned by the Overseer of the proper district, by leaving a written notice with any station agent, or by informing any station agent of said railroad company personally, shall neglect or refuse to construct or repair such road bed to the acceptance of the Overseer, shall forfeit any

sum not exceeding fifty nor less than thirty dollars, to be recovered by an action at the suit of the Township Board of Commissioners before a Magistrate of the County, and the money so collected shall be paid by the Magistrate collecting to the County Treasurer, and the money so paid over shall become a part of the County road fund; and every five days such railroad company, after being duly notified, shall neglect or refuse to construct or repair said road, shall be deemed an additional offense against the provisions of this Act.

A. D. 1896.

Section 23. The Supervisor shall furnish each member of the Township Board of Commissioners with a sufficient number of printed copies of this Act for the use of the Overseer and Township Board of Commissioners, and the County Board of Commissioners shall furnish the necessary books and blanks for the use of the township and the Township Board and Overseer. The Township Board of Commissioners shall not lay off any portion of any incorporated city, town or village in any road district.

Copies of this Act to be furnished Commissioners.

Section 24. That the passage of this Act shall not be held to have altered or changed any actions which may have occurred to any one under an Act entitled "An Act to regulate the roads and highways of Barnwell County." The roads, bridges and highways of the Counties adopting the contract system shall be worked as hereinafter provided.

Exception as to Barnwell County.

Section 25. That if the County Board of Commissioners conclude to adopt the contract system for working, maintaining and operating the several sections of highways, roads, bridges and ferries in the several townships in their respective Counties, or any part thereof, the County Supervisor, as soon as practicable thereafter, may advertise in the newspaper published in the County, once a week for three weeks, and by notices posted in two or more conspicuous places in the several townships, or the township to be worked by the contract system, for bids from responsible persons for the performance of the work as above set forth, and shall furnish specifications of all such work or contracts as have been advertised. Any and all bids made shall be in writing, sealed, and addressed to the County Supervisor, and by him opened in the presence of and submitted to the County Board of Commissioners, and it shall be the duty of said Board to accept the lowest bid made by a responsible

Duty of Commissioners if contract system is adopted.

Roads, how worked by the contract system, &c.

A. D. 1896.

person or party: Provided, The County Board of Commissioners shall have power to reject any and all bids; and said Board is hereby empowered to hire Overseers and laborers, and have the work performed as in its judgment may be most expedient and for the best interest of the County: Provided, further, That the County Supervisors of the Counties of this State are hereby authorized and empowered to arrange to work the roads of their respective Counties with the convicts of their several Counties, or to lease to or from the County Board of Commissioners of any County, upon such terms as may be agreed upon by the respective County Boards of Commissioners, and convicts sentenced to perform hard labor upon the public works of any County, and said convicts may be worked upon the roads, highways, bridges or other public works of the County where convicted, or of the County to which they have been leased.

Powers of
County Board to
levy a special
tax for roads.

Section 26. That the County Board of Commissioners of said Counties be, and they are hereby, authorized to levy annually a sum not exceeding one mill on all the taxable property of the respective Counties, which shall constitute a part of the County road fund, to be expended by the said Board in the same manner as is provided by law for the use and expenditure of the commutation tax in lieu of road duty; and such tax shall be collected at the same time and in the same manner as is provided by law for the collection of taxes levied for ordinary County purposes: Provided, That the provisions of this Section shall not apply to Orangeburg County.

Commutation
road tax.

Section 27. That the County Treasurers of the Counties of this State are hereby authorized and empowered to receive from any and all persons liable to road duties in the Counties of Abbeville, — dollars, to be fixed by the County Board of Commissioners; Aiken, one dollar; Anderson, one dollar; Barnwell, one dollar; Beaufort, two dollars; Berkeley, one dollar; Chester, two dollars; Chesterfield, one dollar; Charleston, one dollar; Colleton, two dollars; Clarendon, two dollars; Darlington, one dollar; Edgefield, two dollars; Fairfield, two dollars; Florence, two dollars; Georgetown, two dollars; Greenville, one dollar; Hampton, one dollar; Horry, two dollars; Kershaw, one dollar; Lancaster, one dollar; Laurens, two dollars; Lexington, one dollar; Newberry, one dollar; Marlboro, two dollars; Marion, two dol-

lars; Pickens, one dollar and fifty cents; Richland, two dollars; Spartanburg, one dollar; Saluda, two dollars; Sumter, one dollar; Union, one dollar; Oconee, one and one-half dollars; Orangeburg, two dollars; Williamsburg, two dollars; York, one dollar, as commutation tax; and all moneys so paid shall be set apart and known as the County road fund: Provided, That such commutation tax be paid for the fiscal year 1896 between the first day of March and the first day of April, and hereafter said commutation tax shall be paid for the succeeding year when State and County taxes are paid, and that the County Treasurers shall furnish a receipt to the person so paying the same.

A. D. 1896.

Section 28. That the County Treasurer of said Counties shall furnish the County Supervisor of their respective Counties a list containing the names of all persons who have paid their commutation tax, and the Chairman of the Township Boards of Commissioners shall also prepare and furnish to the Supervisors a list of all persons liable to road duty in their respective townships; and the said Supervisor shall check off the names of all such persons reported on the list of the County Treasurers as having paid their commutation tax; and all persons whose names shall remain on the list so checked shall be required to perform road duty, not exceeding in the aggregate four days, and shall be assigned to such duty by the County Supervisors under one of the contractors in the township having under control the section or sections nearest the residence of such person or persons. It shall be the duty of the contractor of any section to receive such person or persons so assigned to him by the County Supervisor, and he shall allow to the County Board of Commissioners such sum per diem for the labor of any such person or persons as may be agreed upon by contractors and the County Board of Commissioners, and said sum shall be credited upon the amount due or to become due said contractor by the said Board as hereinbefore provided; any person assigned to work under a contractor as herein provided and refusing or failing to do so shall be guilty of a misdemeanor, and fined in a sum not less than five nor more than twenty dollars, or imprisonment in the County jail for a period of not less than ten nor more than thirty days, or sentenced for the same period on chain gang.

List of road hands, by whom and to whom furnished.

Section 29. The County Board of Commissioners are hereby authorized to work the highways in their Counties,

Chain gangs.

- A. D. 1896.** or any part thereof, by chain gang, without regard to the system or systems used in other portions of their Counties.
- Repealing clause.** Section 30. All Acts or parts of Acts inconsistent with this Act be, and are hereby, repealed.
- Section 31. That this Act shall go into effect on its approval by the Governor.
- Approved the twenty-third day of March, A. D. 1896.

No. 110.

- No. 96. AN ACT to Amend Section 6 of an Act Entitled "An Act to Provide a System of County Government for the Several Counties of the State," Approved January 4, 1894, Appearing as Section 647 of the Revised Statutes of 1893, so Far as the Same Relates to Columbia Township, Richland County.

Amendment
to 647, Revised
Statutes.

Section 1. Be it enacted by the General Assembly of the State of South Carolina, That Section 6 of an Act entitled "An Act to provide a system of County government for the several Counties of the State," approved January 4, 1894, appearing as Section 647 of the Revised Statutes of 1893, be amended by adding thereto the following proviso: "Provided, That there shall be a special Board of Assessors for the city of Columbia, to consist of three discreet residents of said city, to be appointed annually by the City Council of the city of Columbia on or before the first day of January in each and every year, who shall have all the duties, powers, privileges and compensation as are now devolved by law upon the Board of Township Commissioners for Columbia Township so far as said duties, powers and privileges relate to the assessment and valuation of property in the city of Columbia, and the duties, powers and privileges of the said Board of Township Commissioners for Columbia Township so far as they relate to the assessment and valuation of property shall be confined to so much of Columbia Township as lies outside of the limits of the city of Columbia." So that said Section when amended shall read as follows:

Township As-
sessor's.

Section 6. All the duties, powers and privileges now devolved by law upon the Township Boards of Assessors be, and the same are hereby, devolved upon the Township Boards of Commissioners, and the Township Boards of As-

sessors are hereby abolished: Provided, That there shall be a special Board of Assessors for the city of Columbia, to consist of three discreet residents of said city, to be appointed annually by the City Council of the city of Columbia on or before the first day of January in each and every year, who shall have all the duties, powers, privileges and compensation as are now devolved by law upon the Board of Township Commissioners for Columbia Township so far as said duties, powers and privileges relate to the assessment and valuation of property in the city of Columbia and the duties, powers and privileges of the said Board of Township Commissioners for Columbia Township so far as they relate to the assessment and valuation of property shall be confined to so much of Columbia Township as lies outside of the limits of the city of Columbia.

A. D. 1896.

Special Board
for the city of
Columbia.

Approved the twenty-sixth day of March, A. D. 1896.

No. 111.

AN ACT to Amend an Act Entitled "An Act to Provide a System of County Government for the Several Counties of the State," No. 147.
Approved January 4th, 1894.

Section 1. Be it enacted by the General Assembly of the State of South Carolina, That Section 10 of an Act entitled "An Act to provide a system of County government for the several Counties of the State," approved January 4th, 1894, be amended by adding the following proviso to the end of Section 10, so that Section 10, as amended, shall read as follows: "Section 10. That it shall be the duty of the County Supervisor, together with the Chairman of the Board of Township Commissioners, to lay off into convenient sections the roads, bridges and ferries in the several townships in their respective Counties, which said sections shall be numbered for the purpose of letting out the same to be worked and maintained under contract: Provided, That the County Board of Commissioners shall have the right to employ or appoint Overseers or foremen to superintend the working of the highways, whether the contract system be

County Super-
visor and Chair-
man of Board
Township Com-
missioners to
lay out roads;
right to employ
Overseers and
work convicts.

A. D. 1896.

adopted or not: And provided, further, That the County Board of Commissioners shall have the right to employ and use convict labor, as they may deem best, whether the contract system be adopted or not."

Forfeiture of contract on failure to perform conditions.

Section 2. That Section 13 of said Act be amended by striking out the word "road," on line 2 of said Section, so that said Section when amended shall read as follows: "Section 13. In case of the failure of any contractor to perform the conditions of his bond, the Board of County Commissioners shall declare the same forfeited, and the Circuit Solicitor shall enter suit, in the name of said Board, upon said bond for the penalty thereof, and any sum of money recovered in such action shall be paid into the County treasury and become a part of the County road fund."

Claims in reference to poor house and farm, how proven and paid.

Section 3. That Section 35 of said Act be amended by inserting the word "County," between the words "the" and "Board," on line four, and striking out the word "County," on same line, so that said Section when amended shall read as follows: "Section 35. All accounts, claims and demands, of whatever nature, against the County in reference to the poor house or farm for the maintenance and support of paupers shall be presented, duly attested, to the County Board of Commissioners, and be by them audited, allowed or rejected; and for the amount of any claim so audited or allowed the County Supervisor shall draw his warrants, under the seal of the Board, upon the County Treasurer, countersigned by the Secretary of the Board, who shall pay the same out of the pauper fund of the County."

Seal of County.

Section 4. That Section 37 of said Act be amended by striking out the word "Commissioners," on line 6, and insert in lieu thereof the word "Supervisor," so that said Section when amended shall read as follows: "Section 37. The County Supervisor shall procure and adopt a seal, and, when so adopted shall cause a description thereof, with an impression therefrom, to be filed in the office of the Clerk of Court and of the Sheriff, Treasurer, and Secretary of State, and the same shall thereupon be the seal of the Supervisor, and all orders or other papers signed by said Supervisor shall be authenticated by the official seal."

Approved the ninth day of March, A. D. 1896.

A. D. 1896.

No. 112.

AN ACT to Amend Section 49 of an Act Entitled "An Act to Provide a System of County Government for the Several Counties of the State," Approved January 4th, 1894, Being Section 657 of the Revised Statutes of 1893.

No. 198.

Section 1. Be it enacted by the General Assembly of the State of South Carolina, That Section 49 of an Act entitled "An Act to provide a system of County government for the several Counties of the State," approved January 4th, 1894, being Section 687 of the Revised Statutes of 1893, be amended so that said Section when so amended shall be as follows:

Section 49. That the salary of the Supervisor in the respective Counties shall be as follows: In the County of Abbeville, \$900.00; in the County of Aiken, \$800.00; in the County of Anderson, \$800.00; in the County of Barnwell, \$1,000.00; in the County of Beaufort, \$500.00; in the County of Berkeley, \$600.00; in the County of Charleston, \$1,000.00; in the County of Chester, \$800.00; in the County of Chesterfield, \$400.00; in the County of Clarendon, \$600.00; in the County of Colleton, \$800.00; in the County of Darlington, \$600.00; in the County of Edgefield, \$450.00; in the County of Fairfield, \$650.00; in the County of Florence, \$600.00; in the County of Georgetown, \$750.00; in the County of Greenville, \$600.00; in the County of Hampton, \$600.00; in the County of Horry, \$500.00; in the County of Kershaw, \$720.00; in the County of Lancaster, \$400.00; in the County of Laurens, \$600.00; in the County of Lexington, \$600.00; in the County of Marion, \$800.00; in the County of Marlboro, \$700.00; in the County of Newberry, \$750.00; in the County of Oconee, \$500.00; in the County of Orangeburg, \$800.00; in the County of Pickens, \$400.00; in the County of Richland, \$900.00; in the County of Spartanburg, \$1,000.00; in the County of Sumter, \$800.00; in the County of Union, \$600.00; in the County of Williamsburg, \$600.00; in the County of York, \$500.00; in the County of Saluda, \$350.00; and the County Board of Commissioners of the following Counties may elect clerks of said Board, and their salaries shall be as follows: Abbeville County, \$150.00; Anderson County, \$150.00; Aiken County, \$200.00; Barnwell County, \$350.00; Colleton County, \$150.00; Clarendon County, \$100.00;

Salaries of
County Super-
visors.

A. D. 1896.

Charleston County, \$150.00; Hampton County, \$50.00; Lancaster County, \$100.00; Laurens County, \$150.00; Darlington County, \$50.00; Oconee County, \$100.00; Richland County, \$250.00; Spartanburg County, \$200.00; Berkeley County, \$200.00; Marion County, \$200.00; Newberry County, \$200.00; Sumter County, \$200.00; Williamsburg County, \$50.00; Pickens County, \$50.00; Union County, \$150.00: Provided, This Act shall not take effect until after the expiration of the terms now being served so far as relates to Supervisors.

Approved the ninth day of March, A. D. 1896.

No. 113.

No. 199. AN ACT to Amend an Act Entitled "An Act to Provide a System of County Government for the Several Counties of the State," Approved January 4th, A. D. 1894, and Appearing as Article I of Chapter XX of Title VI of Part I of the Revised Statutes of 1893, in Relation to Chain Gangs.

Section 1. Be it enacted by the General Assembly of the State of South Carolina, The Act entitled "An Act to provide a system of County government for the several Counties of the State," approved January 4th, A. D. 1894, and appearing as Article I of Chapter XX of Title VI of Part I of the Revised Statutes of 1893, is hereby amended by striking out Sections 23 and 24 of said Act (appearing as Sections 662 and 663 in said Revised Statutes) and inserting in lieu thereof the following:

Courts may sentence to chain gangs, or to prison.

Section 23. (662.) All the Circuit Courts of this State and all Courts inferior thereto and municipal Courts shall have the power, in their discretion, to impose upon persons by them sentenced to imprisonment sentence of labor on the highways, streets and other public works of the Counties in which such persons have been tried and convicted, and also of the cities and towns in such Counties, or else to sentence them to imprisonment in the County jail or State Penitentiary at hard labor, according to their jurisdiction and authority: Provided, That no convict whose sentence may be for a term longer than two years shall be so sentenced.

Section 24. (663.) All convicts upon whom may be imposed sentence of labor on the highways, streets and other public works of a County shall be under the exclusive supervision and control of the County Supervisor and by him formed into a County chain gang and required to labor on the highways, roads, bridges, ferries and other public works or buildings of the County; and he shall direct the time, place and manner of labor to be performed by said chain gang: Provided, That said chain gang shall not be worked in connection with or near any road contractor or overseer. And all convicts upon whom may be imposed sentence of labor on the highways, streets or other public works of a city or town shall be under the exclusive supervision and control of the municipal authorities of such city or town, or such officer or officers as such municipal authorities may appoint, and by them or him formed into a city or town chain gang, and required to labor on the streets, lanes, alleys, drains and other municipal public works or buildings of such city or town (including public parks owned and controlled by such city or town, whether within or without the corporate limits of such city or town), but on no other highways, streets or other public works in or of the County in which such city or town may be situated: Provided, That if any convicts upon whom may be imposed sentence of labor on the highways, streets and other public works of a County are not formed into a County chain gang, or are not required to labor on the highways, streets and other public works of a County, they may be required to labor on the highways, streets and other public works of any city or town in such County having a city or town chain gang, upon such terms as may be agreed upon by and between the County Board of Commissioners of such County and the municipal authorities of such city or town.

And by adding at the end of Section 25 of said Act (Section 664 of said Revised Statutes) the following:

The municipal authorities of any city or town shall diet and provide suitable and efficient guards and appliances for the safe keeping of all convicts sentenced to labor on the highways, streets and other public works of such city or town, and shall provide all necessary tools, implements and road machines for performing the work required of said convicts, and shall pay all costs and expenses of the same."

Approved the ninth day of March, A. D. 1896.

A. D. 1896.

County Supervisor to have charge of chain gangs; how they are to be worked.

Section 664
Revised Stat-
utes amended.

A. D. 1896.

No. 114.

No. 172.

AN ACT to Amend Section 646 of the Revised Statutes.

Section 1. Be it enacted by the General Assembly of the State of South Carolina, That Section 646 of the Revised Statutes be amended by striking out the word "freeholders" on line 3 of said Section and insert in lieu thereof the words "qualified electors." So that said Section when amended shall read as follows:

Township
Commissioners,
how appointed;
term of office.

Section 646. The Governor shall appoint, upon the recommendation of the Senator and members of the House of Representatives from the respective Counties, three discreet qualified electors in each township in the several Counties of this State, except in the County of Orangeburg where it shall be freeholders, who shall be known as the Board of Township Commissioners, whose term of office shall be coterminal with that of the Governor by whom such Commissioners shall have been appointed and until their successors are appointed and qualified. In case of a vacancy, or in case of the refusal of any person so appointed to serve as such Commissioner, the Governor shall fill the same as hereinbefore provided: Provided, That in the appointing of said Commissioners the Governor shall furnish a duplicate list for each County of said appointees to the Secretary of State, one list to be filed in the office of Secretary of State, the other to be sent by the Secretary of State to the Clerk of Court of each County and put on file in the office of Clerk of Court. The Clerk of Court shall notify and take the oath of each appointee and file the same. The Commissioners may take the oath before any officer authorized to administer an oath. That no person shall be required to serve more than once in every four years; and said Commissioners shall, during the term of his office, be exempt from all road and jury duty.

Approved the ninth day of March, A. D. 1896.

No. 115.

No. 135. AN ACT to Change the Time That the County Board of Commissioners Shall Submit Their Annual Report.

Section 1. Be it enacted by the General Assembly of the State of South Carolina, The County Board of Commission-

ers of the several Counties shall submit to the presiding Judge on the first day of the first term of the Court of General Sessions in each year, to be by him submitted to the grand jury of the County with an itemized statement of all amounts ordered to be paid by them for the preceding fiscal year, the condition of the highways and bridges and the poor and poor farm, and other matters concerning the welfare of the County.

A. D. 1896.

Time of annual report of County Board of Commissioners.

Approved the ninth day of March, A. D. 1896.

No. 116.

AN ACT to Amend Section 1 of an Act Entitled "An Act to Provide Compensation for the Members of the Boards of Township Commissioners," Approved December 24, 1894.

No. 89.

Section 1. Be it enacted by the General Assembly of the State of South Carolina, That Section 1 of an Act entitled "An Act to provide compensation for the members of the Boards of Township Commissioners be, and the same is hereby, amended by striking out the words "and the Chairman of said Board an additional sum of one dollar per day for each day's attendance," and insert in lieu thereof the following words: "And the Chairman of said Board the sum of one dollar and fifty cents per day, but no more, and mileage, at five different meetings in each year;" also amend said Section by inserting the words "and mileage at five cents per mile not to exceed one hundred miles in any one year" after the words "not exceeding five days;" also amend said Section by striking out the proviso at the end thereof. So that said Section when thus amended shall read as follows:

Amendment.

Section 1. Be it enacted by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the members of the Board of Township Commissioners provided for in an Act entitled "An Act to provide a system of County government for the several Counties of the State," approved January 4th, 1894, shall each receive as compensation for his services the sum of one dollar per day

Compensation of Township Commissioners.

A. D. 1896.

for not exceeding five days, and mileage at five cents per mile, not to exceed one hundred miles in any one year, and the Chairman of said Board the sum of one dollar and fifty cents per day, but no more, and mileage, at five different meetings in each year, and mileage of five cents per mile in the most direct route one way from his home to the Court House when attending upon the meetings of the County Board of Commissioners when the said County Board is not sitting as a Board of Equalization: Provided, further, That no member of any Township or County Board of Commissioners shall receive per diem and mileage for more than one attendance upon any Board meeting in one day.

Approved the ninth day of March, A. D. 1896.

No. 117.

No. 105. AN ACT to Amend an Act Entitled "An Act to Prohibit County Commissioners from Paying Any Fees for Proof of Claims Against the County," Approved Dec. 20, 1893.

Section 1. Be it enacted by the General Assembly of the State of South Carolina, That said Act be, and the same is hereby, amended by inserting in Section 2 before the word "Probate" the words "certify to and take proof of." So that said Section when amended shall read as follows: Section 2. That all public officials are hereby required to probate, certify to and take proof of without compensation all claims against their respective Counties.

Public officials
to prove claims
against County
without charge.

Approved the ninth day of March, A. D. 1896.

No. 118.

No. 42. AN ACT Pursuant to the Ordinance to Establish a New Judicial and Election County from a Portion of the Territory of Edgefield County, to be Called Saluda County, with Boundaries as Hereinafter Described, and to Provide for Jurisdiction of Courts, Issue of Bonds, Receipt of Bids for Location of County Seat, and to Provide for Tax Levy Therein.

Section 1. Be it enacted by the General Assembly of the State of South Carolina, That a new judicial and election County, which shall be known as Saluda County, is formed,

with the following boundaries, to wit: Beginning at the centre of Big Saluda River at a point opposite the corner of Edgefield and Lexington Counties, thence the Edgefield and Lexington line to the corner of Lexington and Aiken Counties, thence the Edgefield and Aiken line to a point three miles North of where the public road crosses said line near Lybrand's old mill, thence a straight line to ten-mile post on public highway leading from Edgefield to Columbia, near the residence of J. W. L. Bartley, thence a straight line to the junction of the public road leading from Pleasant Cross with the Long Cane Road near Wm. Lott's, thence by the Long Cane Road to Matt Mathis's Cross Roads, thence a straight line to Owdom's Postoffice, thence a straight line to Little Red Hill School House near Dr. Landrum's old place, thence a straight line to a point on the Northwestern line of Pine Grove Township, one mile North of Double Bridges, thence along the Northwestern boundary of Pine Grove Township to the point on the old Charleston and Cambridge road where it crosses Halfway Swamp Creek, thence down the middle of Halfway Swamp Creek to a point in the middle of Saluda River opposite the mouth of said creek, thence down the middle of Big Saluda River to the initial point; and the territory embraced within the said lines shall be known as the County of Saluda.

A. D. 1896.

Saluda County formed;
boundaries of.

Section 2. That J. H. Edwards, B. W. Crouch, Alvin Ethredge, P. C. Stevens, B. L. Caughman, James P. Bean, C. P. Boozer, J. R. Watson and J. B. Suddath are appointed Commissioners to have the boundaries of said new County of Saluda, as above indicated, surveyed and properly marked, as well as to designate and establish the County seat: Provided, That the County seat shall be located within three (3) miles of the geographical centre of the County, to be ascertained by drawing diagonal lines from the four corners of the County and taking the point of crossing as such centre, the particular site to be decided by vote of the people in said County at an election which shall be held in accordance with law by order of the Governor; and to provide suitable buildings for the several Court and County officers, and to select and purchase or procure sites for the usual public buildings, and contract for and superintend the erection of the court house and jail thereon, and

Commissioners
to locate bound-
aries, and County
seat.

A. D. 1896.

said public buildings shall be built at the expense of the citizens of the said County of Saluda as hereafter provided in this Act.

Election for
County officers,
&c.

Section 3. That an election shall be held in the County of Saluda on Tuesday following the first Monday in November, A. D. 1896, or on such other day as may be provided by law, for members of the General Assembly and for the regular County officers provided for by the Constitution and laws of the State.

Apportion-
ment of Repre-
sentatives.

Section 4. That until the next apportionment of Representatives the said County of Saluda shall be entitled to two Representatives.

Voting pre-
cincts.

Section 5. That the voting precincts heretofore established by law in that portion of Edgefield embraced in the limits of Saluda County shall be the precincts of Saluda County until changed in the name and boundaries as hereinafter provided.

In what Con-
gressional and
judicial district.

Section 6. That the County of Saluda is attached to the Second Congressional District, and shall form part and parcel of the Fifth Judicial Circuit, and that the regular terms of the Courts of General Sessions and Common Pleas shall be held at such times as shall be fixed by law, and that the Trial Justices located in that portion of Edgefield County embraced in the limits of Saluda County shall be continued in office until their successors shall have been appointed and qualified as hereinafter provided for: Provided, however, That from and after the time this Act goes into effect they shall be confined and limited in their official capacity, duty and power to said limits of Saluda County.

Removal of
suits from Edge-
field County.

Section 7. That from and after the first day of December, A. D. 1896, all suits pending in the Courts of Edgefield of which the defendants reside in that portion of said County now established as the County of Saluda, and all indictments pending in the said County of Edgefield where the offense was committed in that part of said County now established as the County of Saluda, shall be transferred to the calendars of the Courts of the said County of Saluda; and all records, commissions and other papers belonging to any of the said suits or indictments, together with all the legal incidents thereto appertaining, shall be transferred to the Clerk of the Court of the said County of Saluda.

Section 8. That the Governor is authorized and empowered to appoint a Commission of five persons, two of whom shall be residents of the County of Edgefield, two residents of the new County of Saluda and one resident of some other County of the State, which said Commission shall divide and apportion between the said two Counties the present lawful and bona fide indebtedness of the old County of Edgefield, having regard to the amount of unpaid taxes due to the said County of Edgefield.

A. D. 1896.

Commission to
apportion the
indebtedness.

Section 9. That the Commissioners named in Section 2 of this Act shall be the proper corporate authorities of Saluda County and of each of the townships thereof and therein for the purposes of this Act until after the duties imposed upon them by this Act and by the ordinance of the late Constitutional Convention appointing them have been fully performed or imposed upon others; and in case of the death, removal, disability or disqualification of any one or more of them, the others shall be vested with the full authority of the whole in the premises, and they shall have the power to organize and elect their own necessary officers, and to remove them by a majority vote of the members. They shall keep minutes of their meetings and proceedings and decisions. They shall procure and keep a seal of their office.

Powers of
Commissioners
appointed to
locate the Coun-
ty.

Section 10. The Commissioners referred to in Section 2 of this Act are hereby authorized and empowered and in their discretion to have Saluda County laid off and divided into new townships of convenient number, as nearly rectangular as practicable, and to suitably name or number the new townships, and to locate and name or number the voting precincts and school districts of Saluda County, and to have a map showing the result of their decision and conclusion in that regard, and the lines and localities and names as fixed by them shall be the lines, localities and the names of the townships, voting precincts and school districts of Saluda County until otherwise provided by law.

Commission-
ers to divide
County into
townships.

Section 11. That the said Commissioners named in Section 2 of this Act are hereby authorized and empowered to receive gifts and grants for the benefit of the County of Saluda as inducements for the selection of particular Constitutional sites for the County seat, and to enter into proper contracts therefor, and to enforce the same according to

Authorized to
receive gifts for
site for County
seat.

A. D. 1896.

their terms and conditions, and that they do acquaint the people by advertisement of the value of the offers made, so that the vote may be cast intelligibly as to the location of the County seat. That they may take conveyances to themselves of lands or personal property by way of a bonus for the County, and may, by a majority of said Commissioners execute deeds and conveyances to third parties in their own name as Commissioners in carrying out sales made or to be made by them of any property received by them as aforesaid for the use of said County of Saluda.

Powers and duties of County officers of Edgefield County in Saluda until County officers elected.

Section 12. That the Clerk of the Court, Register of Mesne Conveyances, Judge of Probate, Sheriff, County Supervisor and the County Board of Commissioners, the School Commissioner, Jury Commissioner, and the Court of Common Pleas and the Court of General Sessions, and all other County officials and Courts of Edgefield County, as it stood and was organized prior to the formation of the County of Saluda, shall have full jurisdiction and power in and over the people and the territory embraced within the lines of Saluda County until after the officers shall have been appointed or elected, as the case may be, and qualified for and in the County of Saluda, and until the records shall have been removed to the County of Saluda, as provided for in this Act and in said ordinance: Provided, That the Auditor of Edgefield County shall make up a set of books and take tax returns for Saluda County separately, and that the Treasurer of Edgefield County shall keep the taxes collected for Saluda County separately, until the Treasurer for Saluda County be appointed and qualified, to whom he shall then at once turn over all funds for Saluda County.

Tax levy for present year.

Section 13. That the County Board of Commissioners of Edgefield County shall immediately make proper estimates for a sufficient tax levy for Saluda County for the current fiscal year and present the same to the Legislature at its present session, including a sum sufficient to meet the annual interest on bonds hereinafter provided to be issued.

Bonds of County, how issued.

Section 14. That the said Commissioners named in Sections 2 and 9 of this Act be, and they are hereby, authorized to issue the bonds of Saluda County in convenient denominations, not to exceed twenty thousand dollars in the aggregate, to run twenty years, bearing a rate of interest not to exceed six per cent. per annum, payable annually, and to

A. D. 1896.


advertise for and receive sealed cash bids for said bonds, no bid to be accepted for less than par, and to sell said bonds to the highest bidder, to raise a fund to erect suitable County buildings, and to defray other expenses required by this Act and by the Constitutional Convention ordinance which this Act is intended to carry out, which fund, with all other moneys received by them, shall be by them deposited with the County Treasurer of Edgefield County, subject to the check or draft of a majority of said Commissioners countersigned by the secretary of said Commissioners, until the County Treasurer of Saluda County shall have been appointed and shall have qualified, when it may be drawn out in the same manner. That the County Board of Commissioners this year of Edgefield County shall levy and have collected a sufficient tax from the property of Saluda County to promptly meet the annual interest on said bonds and expenses of survey and per diem of Commissioners named in Section 2 of this Act; and the County Board of Commissioners of Saluda County, and their successors, shall annually levy and collect a sufficient tax on the property of Saluda County to pay the interest on said bonds when the same is due, and at a convenient time before the maturity of said bonds they shall levy and have collected a sufficient additional tax to create a sinking fund to pay up said bonds at their maturity.

Section 15. That the County Treasurer and the County Auditor of Edgefield County shall receive such compensation for the duties herein imposed as shall be agreed upon between the said Commissioners and themselves, and if no agreement can be reached then said duties shall be performed without compensation.

Compensation
of Auditor and
Treasurer of
Edgefield.

Section 16. That the said Board of Commissioners provided for in Section 2 may reserve compensation for themselves for their services, at a rate not to exceed one dollar per day and mileage at five cents per mile one way for each and every day while actually engaged in the performance of their duties imposed by this Act or by said ordinance.

Compensation
of Board of
Commissioners
of Edgefield.

Section 17. That this Act shall take effect immediately upon its approval.

Section 18. That all Acts or parts of Acts inconsistent with this Act be, and they are hereby, repealed.

A. D. 1896.

Magistrates.

Section 19. That as soon as the Commissioners shall have divided the County of Saluda into convenient townships the Governor shall appoint Magistrates for said County, to be located and to receive compensation as provided by law.

Approved the twenty-fifth day of February, A. D. 1896.

No. 119.

No. 151. AN ACT to Fix the Compensation of the County Officers of Saluda County.

Salaries of
County officers
of Saluda Coun-
ty.

Section 1. Be it enacted by the General Assembly of the State of South Carolina, That the County officers of Saluda County, when elected or appointed, shall receive the following fees and salaries, to wit: The Sheriff, Judge of Probate and Coroner, the same fees as are now provided by law; the Clerk of the Court of Common Pleas and General Sessions, the same fees as now allowed by law to the Clerk of said Court of Edgefield County; the Treasurer, the same commissions on all taxes collected as are allowed by law to County Treasurers, except in the County of Charleston: Provided, The same shall not exceed seven hundred dollars or less than five hundred dollars; the County Auditor, an annual salary of five hundred dollars from the State Treasurer, and in addition from the County the sum of three hundred dollars; the School Commissioner, three hundred and fifty dollars; the County Supervisor, the sum of four hundred dollars; and the Magistrates and their Constables to be appointed in and for said County, each the sum of seventy-five dollars per annum, except the district embracing Ridge Spring, where the Magistrate and Constable shall each receive the sum of one hundred and twenty-five dollars; said salaries to be paid quarterly by warrant of the County Supervisor on the County Treasurer.

Salary of Sher-
riff and Super-
visor of Ker-
shaw County.

Section 2. That from and after the approval of this Act, the Sheriff of Kershaw County shall receive, in lieu of the salary now allowed him by law, and payable in the same manner, the sum of nine hundred dollars (\$900) per annum; and the Supervisor of Kershaw County shall receive in lieu

of his present salary the sum of seven hundred and twenty dollars (\$720) per annum.

A. D. 1896.

Approved the twenty-fourth day of March, A. D. 1896.

No. 120.

AN ACT in Relation to Unpaid Tax Claims.

No. 173.

Section 1. Be it enacted by the General Assembly of the State of South Carolina, That hereafter the County Auditors and Treasurers shall annually have a full and final settlement as to tax executions issued by said Treasurers within twelve months after the expiration of the time allowed by law for the payment of taxes in any year.

Settlement of
tax executions.

Section 2. That all unpaid tax executions with the Sheriff's returns indorsed thereon shall be by the County Treasurer filed and permanently kept as a record in his office. And that all said executions and other tax claims against property, whether on or off the tax duplicates, when past due and unpaid for twelve months, shall become assets of the State in charge of the Commissioners of the Sinking Fund.

Unpaid tax
executions to be
kept as records.

Section 3. That for the purpose of realizing and collecting money from said assets, the Secretary of State, as agent of the Commissioners of the Sinking Fund, against lands and the buildings and fixtures thereon, shall have the rights, powers, remedies and processes for ascertaining the amount due thereon and collecting the same as provided in an Act entitled "An Act to provide an additional remedy for the collection of taxes, costs and penalties upon lands past due and unpaid for eight (8) months," approved December 24th, 1892, and for the purpose of collecting and realizing from said assets against personal property the Secretary of State as agent aforesaid shall have all the rights, powers, remedies and processes possessed by the County Treasurer and Comptroller-General for collecting taxes under an Act entitled "An Act in relation to forfeited lands, delinquent land and collection of taxes," approved December 24th, 1887.

Sinking Fund
Commissioners
to collect; when
and how.

A. D. 1896.

To what cases
this Act should
not apply.

Section 4. That the provisions of this Act shall not apply to property when the execution has been stayed by the action of any judicial process, nor to cases where the Governor and Comptroller-General have stayed or shall stay the collection of taxes generally, as heretofore authorized by law.

Agents of
Sinking Fund
Commission.

Section 5. It shall be the duty of the Sinking Fund Commission to employ only so many agents as are absolutely necessary to discharge the duties now or hereafter devolved upon them by law.

Repealing
clause.

Section 6. That all Acts and parts of Acts inconsistent with the provisions of this Act be, and the same are hereby, repealed.

Approved the twenty-sixth day of March, A. D. 1896.

No. 121.

No. 29. AN ACT to Prescribe and Fix the Fees of Physicians for Post Mortem Examinations at Coroner's Inquest.

Fees of physi-
cians for post
mortem exami-
nations.

Section 1. Be it enacted by the General Assembly of the State of South Carolina, That physicians in this State shall be paid the following fees for post mortem examinations and testifying at Coroner's inquests: For a post mortem examination and testifying, when no dissection is required, five dollars; when dissection is necessary and the body not interred, if requested by the Coroner's jury, ten dollars; for same after interment for three days or more, fifteen dollars; for chemical analysis, a sum not exceeding forty dollars and expenses for such analysis; and when chemical analysis has been made the chemist who makes it must furnish to the County Board of Commissioners, with his account, a full statement of the analysis. The Clerk of the County Board of Commissioners shall verify and file with the Clerk of Court of General Sessions a copy of such statement of analysis and account: Provided, That nothing contained in this Act shall apply to Counties of Barnwell and Williamsburg.

Section 2. That the account of claim for the services herein named shall be certified to by the Coroner, and if dissection is made it shall be certified that it was done at the request of the jury.

A. D. 1896.

Claim for, how proven.

Section 3. That all Acts and parts of Acts inconsistent with this Act be, and the same is hereby, repealed.

Repealing clause.

Approved the twenty-fifth day of February, A. D. 1896.

No. 122.

AN ACT to Amend Section 1183 of the General Statutes, and All Acts Amendatory Thereto, Embraced in Section 1279 of the Revised Statutes 1893, Vol. 1, in Reference to Drainage in Certain Counties.

No. 164.

Section 1. Be it enacted by the General Assembly of the State of South Carolina, That Section 1183 of the General Statutes, and all Acts amendatory thereto, embraced in Section 1279 of the Revised Statutes 1893, Vol. 1, be, and the same is hereby, amended by adding the word Union after the word York on the fourth line of the first paragraph of said Section, and by amending the third paragraph of said Section, on the 19th line, by striking out the word "County" and inserting in lieu thereof the word "Township." So that the first and third paragraphs of said Section as amended shall read: Section 1279. (1183.) The County Board of Road Commissioners of the Counties of Abbeville, Beaufort, Chester, Colleton, Darlington, Florence, Greenville, Laurens, Marion, Oconee, Pickens, Spartanburg, York and Union, respectively, are authorized, in addition to the duties now imposed on them by law, to act as Commissioners of Health and Drainage, and are empowered as such Commissioners of Health and Drainage to act as follows, to wit: 3. In cases where the general health is seriously affected by the condition of any water course, the County Board of Road Commissioners shall, upon petition and proof of at least one-third of the land owners upon such water course, or of one-third of the land owners within two miles on either of such water course, and not less than five miles up and down the stream, which proof shall contain the affidavits of two physicians, one of whom shall practice in the neighborhood,

§ 1279 Revised Statutes amended.

County Board of Commissioners in certain Counties made Boards of Health and Drainage; powers and duties of.

A. D. 1896.

May levy a
tax for.

make an estimate of the cost and proceed to drain such water course as in cases heretofore provided for; but if, in the opinion of the County Board of Road Commissioners, the cost of such drainage imposes too heavy an assessment upon the individual land owners upon such water course, they shall make a report in writing of the estimate and opinion to the Judge of the Circuit Court at the next ensuing term thereof, and if he approve of such report and estimate, which approval shall be in writing, the County Board of Road Commissioners shall contract for such drainage, and after levying a fair assessment upon all such property they shall charge the surplus of the cost of such drainage to the County, to be carried into their estimate for the County expenses for the next ensuing year, to be defrayed by a tax levy on all the property in said township to be collected as the State and County taxes are collected.

Approved the ninth day of March, A. D. 1896.



ACTS AND JOINT RESOLUTIONS

OF THE

GENERAL ASSEMBLY

OF THE

STATE OF SOUTH CAROLINA

PART II.

Laws Not General and Permanent, and Joint Resolutions.

No. 123.

AN ACT to Make Appropriations to Meet the Ordinary Expenses of the State Government for the Fiscal Year Commencing January 1st, 1896, and for the Months of November and December, 1895.

A. D. 1896.

No. 200.

Section 1. Be it enacted by the General Assembly of the State of South Carolina, That the following sums, if so much be necessary, be, and the same are hereby, appropriated to meet the expenses of the Executive Department, as follows:

Appropriations

EXECUTIVE DEPARTMENT.

2. For the salary of the Governor, three thousand and five hundred dollars; for the salary of the Governor's Private Secretary, fifteen hundred and seventy-five dollars; for the salary of the Governor's Messenger, four hundred and sixty-six dollars; for the contingent fund of the Governor, for rewards and other purposes, five thousand dollars; for stationery and stamps for the Governor, three hundred and fifty dollars.

For Governor,
his Private Sec-
retary and Mes-
senger, &c.

A. D. 1896.

For Secretary
of State, Clerk,
&c.

3. For the salary of the Secretary of State, twenty-two hundred and sixteen dollars; for the salary of the Clerk of the Secretary of State, fifteen hundred and seventy-five dollars; for the contingent fund of the Secretary of State, one hundred and seventy-five dollars; for stationery and stamps for the Secretary of State, five hundred dollars.

Comptroller-
General, Clerks,
&c.

4. For the salary of the Comptroller-General, twenty-two hundred and sixteen dollars; for the salary of the Chief Clerk of the Comptroller-General, sixteen hundred and thirty-three dollars; for the salary of the Pension Clerk and Bookkeeper of the Comptroller-General, seventeen hundred and fifty dollars; for the contingent fund of the Comptroller-General, three hundred dollars; for stationery and stamps for the Comptroller-General, three hundred dollars; for printing for the Comptroller-General, two hundred dollars; for the use of the Comptroller in examining the books and papers and accounts pertaining to the offices of the Auditors and Treasurers of the respective Counties, as required by law (Section 224 of General Statutes), six hundred dollars, if so much be necessary, to be paid upon the warrant of the Comptroller-General, who shall file as vouchers itemized statements of the actual expenses incurred in each inspection, sworn to by the person making the inspection; for additional clerk hire in the Comptroller-General's office, for distributing pensions, four hundred dollars.

For State Treas-
urer, Clerks,
&c.

5. For the salary of the State Treasurer, twenty-two hundred and sixteen dollars, and five hundred dollars in addition for handling the Dispensary fund, to be paid by the State Board of Control out of that fund; for the salary of the Chief Clerk of the State Treasurer, one thousand seven hundred and fifty dollars; for the salary of the Bookkeeper (loan department) of the State Treasurer, fifteen hundred and seventy-five dollars; for the salary of the General Bookkeeper of the State Treasurer, fifteen hundred and seventy-five dollars; for the contingent fund of the State Treasurer, two hundred dollars; for stationery and stamps for the State Treasurer, two hundred dollars.

For Superin-
tendent, Clerk,
&c.

6. For the salary of the Superintendent of Education, two thousand two hundred and sixteen dollars; for the salary of the Clerk of the Superintendent of Education, one thousand and fifty dollars; for the contingent fund of the Superintendent of Education, seventy-five dollars; for print-

ing books and blank forms for the use of the public schools, five hundred dollars; for the State Board of Examiners and for board of the members of said Examining Board, one hundred dollars, if so much be necessary; and for stationery and stamps, two hundred dollars; and three hundred dollars for traveling expenses of Superintendent of Education: Provided, That an itemized statement of such expenses be kept by the State Superintendent of Education and reported by him to the next General Assembly.

A. D. 1896.

7. For the salary of the Adjutant and Inspector-General, fourteen hundred dollars; for the salary of the Clerk of the Adjutant and Inspector-General, one thousand and fifty dollars; for the salary of the State Armorer, for the months of November and December, 1895, eighty-three dollars; for expense of maintaining State Armory for fiscal year 1896, three hundred dollars; for the contingent fund of the Adjutant and Inspector-General, one hundred dollars; for stationery and stamps for the Adjutant and Inspector-General, one hundred and fifty dollars; for collecting arms, freight, advertising, printing, expenses of inspections, purchasing missing parts of arms and ammunition, four hundred dollars, if so much be necessary.

For Adjutant
and Inspector-
General, Clerk,
&c.

8. For the purpose of assisting companies to maintain their organization, ten thousand dollars, to be distributed by the Adjutant and Inspector-General in accordance with the provisions of the militia laws of the State, if so much be necessary, to be paid on the order of the Adjutant and Inspector-General upon the warrant of the Comptroller-General.

For the mili-
tia.

Section 9. For the salary of the Attorney-General, twenty-two hundred and sixteen dollars; for the salary of the Assistant Attorney-General, fifteen hundred and seventy-five dollars; for the contingent fund of the Attorney-General, one hundred and fifty dollars; for stationery and stamps for the Attorney-General, seventy-five dollars; for the expenses of litigation, two thousand dollars, if so much be necessary; and the Attorney-General is hereby authorized and required to conduct all litigation which may be necessary for any of the Departments of the State government, or any of the Boards connected therewith, and all such Boards or Departments are hereby forbidden to employ any counsel for any purpose except through the Attorney-General and upon his

For Attorney-
General, Assist-
ant, litigation
and other funds

A. D. 1896.

advice: Provided, That this provision shall not apply to suits pending prior to December 22, 1882: Provided, further, That out of the litigation fund the Attorney-General shall also pay for dockets and blank indictments for the several Circuit Solicitors and such other expenses incidental to prosecutions he may deem advisable, including the necessary hire of a typewriter and stenographer.

For Railroad Commissioners.

10. For the salary of the Railroad Commissioners, six thousand six hundred and fifty dollars; for the salary of the Secretary of the Railroad Commissioners, fourteen hundred dollars, and five hundred dollars to pay the contingent expenses of the office for the fiscal year commencing January 1st, 1896, and five hundred and fifty dollars for pay of office rent, if so much be necessary, to be advanced by the State until the same shall have been collected from the railroad companies of this State in the manner prescribed by law, and when collected the same shall be replaced in the State Treasury.

For State Librarian.

11. For the salary of the State Librarian, eleven hundred and sixty-six dollars; for the contingent fund of the State Librarian, one hundred and twenty-five dollars; for stationery and stamps for the State Librarian, two hundred and twenty-five dollars; for paying charges on Revised Statutes required by law to be distributed, seventy-five dollars; for the purpose of purchasing and binding books and documents for the State Library, two hundred dollars.

For Watchmen

12. For the salary of the two Watchmen for the State House and grounds, nine hundred and thirty-three dollars.

For Janitor.

13. For the salary of the Janitor of the State House, one hundred and eighty-six dollars.

For Engineer of State House heating apparatus, &c.

14. For the salary of the Engineer of the State House heating apparatus (for seven months in the year), seventy-five dollars per month; for the salary of the two Firemen of the State House heating apparatus (for seven months in the year), twenty-five dollars per month each; and the Engineer be paid twenty-five dollars per month for the balance of the year for keeping in order the engine, boilers, &c.: Provided, That he attend to them at least once in every fifteen days, this amount to be in full for all charges for labor: Provided, further, That the Superintendent of the Penitentiary be required whenever called upon by the Keeper of the State House and Grounds to furnish such convict labor as he may

need to keep said State House grounds in good order; for repairs in basement of State House, one hundred dollars.

A. D. 1896.

15. For contingent fund of Keeper of the State House and Grounds, one hundred dollars.

Contingent fund of Keeper of State House.

JUDICIAL DEPARTMENT.

Section 2. 1. That the following sums, if so much be necessary, be, and the same are hereby, appropriated to meet the expenses of the Judicial Department, as follows:

2. For the salary of the Chief Justice, four thousand six hundred and sixty-six dollars; for the salary of the three Associate Justices, ten thousand eight hundred and ten dollars.

For Chief Justice and Associate Justices.

3. For the salaries of the six Circuit Judges, of the First, Second, Fourth, Fifth, Sixth and Seventh Judicial Circuits, twenty-four thousand five hundred dollars; for the salaries of the two Circuit Judges of the Third and Eighth Judicial Circuits, seven thousand dollars; for the salaries of the eight Circuit Solicitors, twelve thousand eight hundred and ninety-one dollars; for the pay of the Stenographers of the Circuit Courts, eleven thousand six hundred and sixty-six dollars.

For Circuit Judges.

4. For the pay of the Clerk of the Supreme Court, nine hundred and thirty-three dollars; for the salary of the State Reporter, eight hundred and twenty-five dollars; for the salary of the Librarian of the Supreme Court, nine hundred and thirty-three dollars; for the pay of the Messenger of the Supreme Court, two hundred and thirty-three dollars; for the contingent fund of the Supreme Court, six hundred and fifty dollars; for the purchasing of books for the Supreme Court Library, five hundred dollars; for salary of attendant on Supreme Court, two hundred and thirty-three dollars.

For Clerk of Supreme Court.

5. For purchasing one hundred copies each of the 43d, 44th and 45th volumes of the Supreme Court Reports, thirteen hundred and fifty dollars.

For Supreme Court Reports.

6. Two hundred and fifty dollars for the use of the State House Commission, if so much be necessary, for the furnishing and refitting the Supreme Court room to meet the requirements of the new Constitution.

For Supreme Court room.

A. D. 1896.

HEALTH DEPARTMENT.

Section 3. 1. That the following sums, if so much be necessary, be, and the same are hereby, appropriated to meet the expenses of the Health Department, as follows:

For Quarantine, Charleston

2. For the salary of the Quarantine Officer at Charleston, nineteen hundred and twenty-five dollars; for the expense of maintaining Quarantine Station, Charleston Harbor, eleven hundred and sixty-six dollars.

At St. Helena.

3. For the salary of the Quarantine Officer at St. Helena, eight hundred and sixteen dollars; for expenses of Quarantine Station at St. Helena, one hundred and seventy-five dollars.

At Port Royal.

4. For the salary of the Quarantine Officer at Port Royal, eight hundred and sixteen dollars; for the expenses of Quarantine Station at Port Royal, three hundred and seventy-five dollars; for the salary of the Keeper of the hospital buildings at Port Royal, two hundred and thirty-three dollars.

At Georgetown

5. For the salary of the Quarantine Officer at Georgetown, four hundred and sixty-six dollars; for the expense of Quarantine Station at Georgetown, one hundred and seventy-five dollars.

For Keeper of the Lazaretto.

6. For the salary of the Keeper of the Lazaretto, three hundred and fifty dollars.

For State Board of Health

7. For the purpose of carrying out the provisions of the Act establishing a State Board of Health, twenty-five hundred dollars, if so much be necessary.

For Quarantine regulations

8. For the purpose of carrying out the provisions of an Act quarantining the State against contagious and infectious diseases, three thousand dollars, to be expended under the supervision and by the consent of the Governor.

TAX DEPARTMENT.

Section 4. 1. That the following sums, if so much be necessary, be, and the same are hereby, appropriated to meet the expenses of the Tax Department, as follows:

Auditors.

2. For the salaries of the County Auditors, twenty-six thousand four hundred and sixty-six dollars.

Books for.

3. For printing books, &c., for the County Auditors and Treasurers, two thousand dollars.

4. For books, blanks and stationery for general election, five hundred dollars.

A. D. 1896.

5. For books and certificates of registration, four thousand dollars.

Books for election.

Books for registration.

SOUTH CAROLINA UNIVERSITY.

Section 5. 1. That the following sums, if so much be necessary, be, and the same are hereby, appropriated to meet the expenses of the South Carolina University, namely:

For the support of the schools in the South Carolina College at Columbia, twenty-five thousand dollars, to include ordinary repairs, general expenses, improvement of buildings, and for the Library and salary of Librarian, to be paid upon the application of the Board of Trustees on the warrant of the Comptroller: Provided, That suitable courses of study are provided without fees for tuition or matriculation for two young men from each County and also for admitting young women qualified to enter the College. Three thousand dollars for the support of the schools in the South Carolina College at Columbia for the month of November and December, 1895.

South Carolina College.

WINTHROP NORMAL COLLEGE.

3. For the support of Winthrop Normal and Industrial College of South Carolina, including running expenses, equipment and permanent improvements, thirty-one thousand seven hundred and ninety-seven dollars.

Winthrop College.

4. For the payment of back indebtedness and existing liabilities, twenty-three thousand two hundred and two dollars: Provided, That no new contracts or new liabilities in excess of the amounts herein appropriated shall be made or incurred, either directly or indirectly, in behalf of said college.

5. For the Claflin College at Orangeburg, to be paid on the application of the Board of Trustees of the South Carolina University, on the warrant of the Comptroller-General, one thousand dollars.

Claflin College.

6. For the support of the beneficiary Cadets at the Citadel Academy, twenty-one thousand dollars, to be paid on the warrants of the Comptroller-General, issued upon the requisition of the Chairman of the Board of Visitors of said Academy.

Citadel Academy.

A. D. 1896.
 Scholarships
 in Winthrop
 College.

7. That the sum of five thousand dollars, if so much be necessary, be, and the same is hereby, appropriated for the scholarships provided by law for the South Carolina Industrial and Winthrop Normal College.

PENAL AND CHARITABLE INSTITUTIONS.

Section 6. 1. That the following sums, if so much be necessary, be, and the same are hereby, appropriated to meet the expenses of the penal and charitable institutions, as follows:

SOUTH CAROLINA PENITENTIARY.

Penitentiary. 2. For the salary of Superintendent of the Penitentiary, twenty-two hundred and sixteen dollars; for the salary of the Captain of the Guard, twelve hundred and twenty-five dollars; for the salary of the Physician of the Penitentiary, to be appointed by the Superintendent, twelve hundred and twenty-five dollars; for the salary of the Chaplain of the Penitentiary, to be appointed by the Superintendent of the Penitentiary, seven hundred dollars; for the salary of the Clerk of the Penitentiary, fourteen hundred dollars; for which amount the Comptroller-General is authorized and directed to issue his warrants.

That the balance in the hands of the Board of Directors of the South Carolina Penitentiary on October 31st, 1895, together with all other amounts received, or to be received, from the hire of convicts, or from any other source, during the current fiscal year, be, and the same are hereby, appropriated for the support of the Penitentiary, and for other purposes hereinafter indicated, and for any purposes required by law which are not herein indicated.

Per diem and
 mileage of Di-
 rectors.

3. For the per diem and mileage of the Directors of the South Carolina Penitentiary, each of whom shall be entitled to receive four dollars per diem for each day of actual attendance on the meetings of the said Board, and five cents per mile for the actual distance traveled by the most direct route going to and returning from the home of said Director to the place of meetings of said Board, and the annual report of the Superintendent of the South Carolina Penitentiary shall contain in separate an itemized statement of the amount expended for account of said per diem and mileage,

showing the amount paid to each Director on each of said accounts, sixteen hundred dollars, if so much be necessary; for the current expenses of the Penitentiary, so much as may be necessary; for the purchase of arms and ammunition, two hundred dollars, if so much be necessary; for the purchase of Bibles, Testaments and other religious literature for the use of convicts, forty dollars.

A. D. 1896.

SOUTH CAROLINA LUNATIC ASYLUM.

4. For the salary of the Superintendent and physician of the State Hospital for the Insane, thirty-five hundred dollars; for the per diem and mileage of the Board of Regents of the Hospital for Insane, each of whom shall be entitled to receive four dollars per day for each day actually engaged in attending the meetings of said Board, and mileage of five cents per mile for each mile actually traveled, fourteen hundred dollars, if so much be necessary; for the current expenses in support of the State Hospital for the Insane, one hundred and sixteen thousand dollars.

State Hospital
for the Insane.

THE DEAF, DUMB AND BLIND ASYLUM.

5. For the support of the Deaf, Dumb and Blind Asylum, nineteen thousand eight hundred and thirty-three dollars; for repairs and insurance, eighteen hundred dollars, if so much be necessary.

Deaf, Dumb
and Blind Asy-
lum.

CATAWBA INDIANS.

6. For the Catawba Indians, nine hundred and thirty-three dollars, to be paid upon the application of the Agent upon the warrant of the Comptroller-General: Provided, That said Agent, before receiving his warrant, enter into bond in the sum of sixteen hundred dollars, with security to be approved by the Governor, for the faithful discharge of his duty in the disbursement of any funds which may hereafter come into his hands: Provided, further, That the said fund be distributed among the Catawba Indians living in South Carolina: Provided, That the Secretary of State shall issue the commission of said Agent without charges.

Catawba In-
dians.

A. D. 1896.

MISCELLANEOUS.

Section 7. 1. That the following sums, if so much be necessary, be, and the same are hereby, appropriated for miscellaneous expenses, as follows:

For water for
public institu-
tions.

2. For the purposes of an Act entitled "An Act to provide for the payment of water used in the public institutions of the State located in Columbia," approved February 9th, 1882, two thousand dollars, to be paid on the warrant of the Comptroller-General, issued in accordance with the provisions of said Act.

For claims
passed.

3. To pay the claims passed by the General Assembly at its regular session of 1896, three thousand dollars, if so much be necessary, to be paid by the State Treasurer upon the warrants of the Comptroller-General.

Supervisors of
Registration.

4. For the salaries of the Supervisors of Registration, twenty-seven thousand dollars, that is to say, to pay the Supervisors of Registration for each County in the State the sum of two hundred and fifty dollars each for the services to be rendered during the fiscal year commencing January 1, 1896, said amount to be paid one-half on June 1st, 1896, and the remaining one-half on November 1st, 1896, out of any money in the Treasury not otherwise appropriated.

Public Print-
ing.

5. To pay for the public printing of this fiscal year, twenty-three thousand dollars, if so much be necessary, and no amount in excess of said sum shall be drawn or expended, any existing law to the contrary notwithstanding.

Transportation
of convicts.

6. For the transportation of convicts to the Penitentiary from the several Counties of this State, three thousand dollars, if so much be necessary, to be paid on the application of the Superintendent of the Penitentiary, approved by the Board of Directors, upon the warrants of the Comptroller-General.

Repairs of
Governor's
Mansion.

7. For repairs and improvements to the Governor's Mansion, three hundred dollars, if so much be necessary, to be paid on the order of the Governor upon the warrants of the Comptroller-General.

Lighting of
public buildings

8. For the lighting of the State House and grounds, the State Hospital for the Insane, the South Carolina College grounds, the Governor's Mansion and the State Penitentiary for one year, the sum of twenty-six hundred and fifty dollars, and the Governor is hereby authorized to enter into a

contract for said lighting with the Columbia Electric Street Railway, Light and Power Company for said amount, and for the pay of lighting bills received prior to the making of said contract the sum of six hundred dollars, if so much be necessary.

A. D. 1896.

9. For pay for fuel for the purpose of heating the State House, seven hundred dollars, if so much be necessary; for repairs, &c., on the State House, one hundred dollars, if so much be necessary, to be expended under the State House Commission.

Heating State House.

10. For the purpose of an Act entitled "An Act to provide for the relief of certain soldiers, sailors and widows of soldiers or sailors of the late war between the States," approved December 24th, 1887, or Acts amendatory thereto, and one hundred and twenty-five dollars additional for necessary stationery and postage incidental thereto, one hundred thousand dollars, if so much be necessary; said appropriation to be paid at such times during the current fiscal year as may be designated by the State Board of Pensions: Provided, That the Pension Board shall, before paying out any of the amount hereby appropriated, revise the whole list of pensioners and pay only those found to be in actual need of support whose names are now on the list or may hereafter be put thereon: Provided, further, That the Governor, Comptroller-General and Treasurer be, and they are hereby, authorized to borrow from time to time such amounts as may be necessary to meet this appropriation: Provided, further, That the Comptroller-General is authorized to issue his warrants to the Clerk of Court of the several Counties for such amounts as may be determined as belonging to the pensioners of such County, to be by him disbursed according to law.

Pensions.

11. For the expenses of the Phosphate Commission, five hundred dollars; and for the salary of the Phosphate Inspector, seventeen hundred and fifty dollars.

Phosphate Commission.

12. For the pay of George S. Mower, for legal services in the registration case, four hundred and fifty dollars.

For Geo. S. Mower.

13. For the pay of Edward McCrady, for legal services in the registration case, eight hundred dollars.

For Edward McCrady.

14. That the sum of one thousand dollars be appropriated for the purpose of completing the revision of the indexes to the records in the office of the Secretary of State, and for

Index of records in Secretary of State's office.

A. D. 1896.

To refund amount expended for Atlanta Exposition.

the purposes of making such new indexes to such records as may be necessary. That the sum of six thousand dollars be appropriated to refund the amount expended by John Gary Evans and W. T. C. Bates for the purpose of the Atlanta Exposition.

For expenses of examining books of State Treasurer.

16. For the per diem and mileage of John R. Harrison, C. W. Garriss and R. I. Manning, for examining the books of the offices of the State Treasurer and Comptroller-General, four hundred and two dollars.

Expense of railroad litigation and salary of indexing and Clerk in office of Secretary of State.

17. For the expenses of Samuel Lord in the railroad litigation, one hundred and ten dollars. For the salary of L. M. Regan, Indexing Clerk in the office of Secretary of State for the months of November and December, 1895, and January, 1896, two hundred and seventy-five dollars.

For Committee to investigate Blue Ridge bonds.

18. For the per diem and mileage of members of Special Committee to investigate Blue Ridge bonds, as follows: For J. E. Breazeale, one hundred and fourteen dollars; for J. Wm. Thurmond, ninety-eight dollars; for P. H. Gadsden, one hundred and sixteen dollars.

To repay borrowed money under ordinance of Constitutional Convention.

19. That the sum of twenty-three thousand and two 87-100 dollars be appropriated to repay the Carolina National Bank for money borrowed and used under an ordinance of the late Constitutional Convention, said amount to be paid by the State Treasurer, without the warrant of the Comptroller-General, under the provisions of a Joint Resolution entitled a Joint Resolution "to authorize and require the State Treasurer to repay money borrowed under a Convention ordinance."

For Commissioners and Managers of Election, and expenses of elections.

20. For pay of Commissioners and Managers of Elections, fifteen thousand dollars; to pay for advertising notices of elections, two thousand dollars: Provided, That all notices of elections published in the newspapers throughout the State shall be printed unleaded and in type not larger than brier, and no more shall be charged or paid for any such notices than one dollar per seventy-five words for first insertion, and fifty cents per seventy-five words for the second or subsequent insertion, and the Secretary of State shall provide the form of the notice.

Election for Constitutional Convention.

21. For the pay of Commissioners and Managers of Election of the late Constitutional Convention, seven thousand five hundred dollars.

22. To pay for the printing of the Confederate rolls, the sum of one thousand dollars, if so much be necessary: Provided, That the said printing be let on contract to the lowest bidder, with the approval of the Governor, after due notice to the public, under the supervision of the successor to the Honorable Joseph B. Kershaw, late Commissioner to prepare said rolls, said successor to be appointed by the Governor, and he shall be required to read the proofs, revise, correct and collect the rolls and perform such other work as may be necessary for the completion of the said rolls.

A. D. 1866.
Printing Confederate rolls.

23. To pay for the additional work which will be required of the successor of Hon. J. B. Kershaw in printing, sending out, collecting and correcting the rolls, including traveling expenses, postage, stationery and other expenses that may be incurred by him, one thousand dollars: Provided, That said Commissioner enter into contract to complete said work within one year for the amount herein appropriated.

For Commissioner to prepare Confederate rolls.

24. The sum of twenty-four hundred dollars (\$2,400.00) is hereby appropriated from any funds in the State Treasury not otherwise appropriated to be awarded as premiums for excellence in agriculture, stock raising and mechanic and domestic arts among the citizens of this State: Provided, The sum herein appropriated shall be expended for said purposes under the supervision of the Governor, Secretary of State, State Treasurer and the Chairman of the Committees on Agriculture of the House of Representatives and Senate, who shall make report to the General Assembly of their disposition of the same: Provided, No part of said sum shall be awarded for exhibits at any place where immoral shows or gambling are allowed; nor for exhibits in any department not opened to or confined to all citizens of South Carolina; nor at any public fair unless the association conducting the same shall employ all of its receipts, from whatever sources, to the payment of current expenses and premiums.

State Fair.

25. That the Board of Trustees of Clemson College are authorized to use the sum of seventeen hundred and fifty dollars to pay a note now held by the Bank of Pendleton and contracted under the authority of the General Assembly in the purchase of the Lee lands, near Clemson College; and the said Board is hereby authorized to expend the further

Clemson College authorized to pay note from funds in their hands.

STATUTES AT LARGE

A. D. 1896.

sum of three hundred and sixty-seven 50-100 dollars to pay the accrued interest upon the whole of said debt up to February 1, 1896. Said moneys to be paid out of any funds in the hands of said Board not otherwise appropriated.

INTEREST ON PUBLIC DEBT.

Interest on
public debt.

Section 8. That the sum of two hundred and eighty thousand dollars, if so much be necessary, be, and the same is hereby, appropriated to pay the interest on the valid debt of the State which shall mature and become payable on the first day of January and on the first day of July, 1896, and for unpaid interest payable in prior years.

Amounts ap-
propriated, how
paid.

Section 9. That the amounts specified in the several preceding Sections of this Act for salaries and clerical services shall be paid in monthly installments, unless otherwise provided for, and shall be paid upon the warrants of the Comptroller-General on the application of the various officers entitled to the same: Provided, That the accounts and vouchers upon which such applications are made shall be filed with the Comptroller-General before issuing his warrants on the State Treasurer for same; and that for the amounts required by the various officers for the purchase of stamps, the Comptroller-General is hereby authorized to issue his warrant to such officer.

Contingent
funds to be ac-
counted for.

Section 10. That the moneys hereinbefore set apart to be used as contingent funds and for other purposes by the various officers of the State government shall be duly accounted for, and such officer shall make a detailed statement of the disposition made thereof to the General Assembly at the next regular session: Provided, That no officer authorized to make contracts or draw funds from said appropriations shall expend, or make contracts for expending, more than has been specified for any purpose by this Act.

When to go
into effect.

Section 11. That this Act shall take effect from and immediately after its approval.

Repealing
clause.

Section 12. That all Acts and Joint Resolutions or parts of Acts and Joint Resolutions inconsistent or conflicting with the provisions of this Act be, and the same are hereby, repealed: Provided, That an Act to establish the Colored Normal, Industrial, Agricultural and Mechanical College of this State is not hereby modified or repealed.

Approved the seventh day of March, A. D. 1896.

No. 124.

A. D. 1896.

No. 183.

AN ACT to Make Appropriations for the Payment of the Per Diem, Mileage and Stationery Certificates of the Members of the General Assembly, the Salaries of the Subordinate Officers and Employees Thereof, and for Other Purposes Herein Named.

Section 1. Be it enacted by the General Assembly of the State of South Carolina, That the following sums, if so much be necessary, be, and the same are hereby, appropriated to meet the expenses of the General Assembly at its regular session beginning on the 14th day of January, 1896, to the close of the session, and for other purposes herein named, as is more specifically indicated in the several succeeding Sections of this Act, that is to say:

Appropriations
for.

SENATE.

Section 2. That the following sums, if so much be necessary, be, and the same are hereby, appropriated to pay the expenses of the Senate from the 14th day of January, 1896, to the close of the session, as follows: For the per diem, at four dollars per day, mileage and stationery certificates of the members of the Senate and the presiding officer thereof, at eight dollars per day, if so much be necessary, nine thousand and eighty-nine dollars; for the pay of R. R. Hemphill, Clerk of the Senate, nine hundred and thirty-three dollars; for the pay of R. M. McCown, Assistant Clerk of the Senate, three hundred and fifty dollars; for the pay of J. T. Gantt, Journal Clerk of the Senate, two hundred and sixteen dollars, and four dollars per day for the number of days he may be actually engaged in the work of the Senate after the adjournment thereof not to exceed thirty days, said number of days of such engagement to be certified by the said Journal Clerk; for the pay of W. H. Stewart, Reading Clerk of the Senate, three hundred and fifty dollars; for the pay of J. C. Elliot, Sergeant-at-Arms of the Senate, three hundred dollars; for the pay of E. A. Perry, Bill Clerk of the Senate, two hundred and sixteen dollars; for the pay of J. D. Campbell, Clerk of the Judiciary Committee of the Senate, fifty-two dollars; and for the pay of F. E. Holman, Clerk of the Judiciary Committee of the Senate, one hundred and sixty-four dollars; for the pay of J. E. Beanguard, Clerk of the

Members of
the Senate,
officers and at-
tachees.

A. D. 1896.

Finance Committee of the Senate, two hundred and sixteen dollars; for the pay of W. H. Meetze, Clerk of the Committee on Roads, Bridges and Ferries, two hundred and sixteen dollars; for the pay of E. P. Esterling, General Committee Clerk of the Senate, one hundred and four dollars; and for the pay of N. O. Pyles, General Committee Clerk of the Senate, one hundred and twelve dollars; and for the pay of W. H. Sharpe, Clerk of the Committee on Railroads and Incorporations of the Senate, two hundred and sixteen dollars; for the pay of J. R. Boyles, S. W. Scott, Marion Dorn and Thomas Whittle, Doorkeepers of the Senate, each one hundred and sixty-two dollars; for the pay of H. A. Turner, W. W. Lazenberry, Laborers of the Senate, each one hundred and eight dollars; for the pay of Samuel Austin, deceased, late Laborer, eighty-four dollars, to be paid to Dr. A. C. Fuller for the benefit of the family of the deceased; for the pay of Calhoun Butler, Keeper of the President of the Senate's room and Porter in the office of the Clerk of the Senate, one hundred and sixty-two dollars; for the pay of M. S. Ashley and J. M. Boland, Porters to the Committee rooms of the Senate, each one hundred and eight dollars; for the pay of Caldwell Smith and Edward McDaniel, Pages of the Senate, each one hundred and eight dollars; for the pay of E. P. Jenkins, Mail Carrier of the Senate, one hundred and sixty-two dollars; for the pay of Rev. P. Pinckney Blalock, Chaplain of the Senate, seventy-five dollars; for the incidental or contingent fund of the Senate, six hundred dollars, if so much be necessary, to be paid on certificates drawn by the President of the Senate and attested by the Clerk of the Senate on accounts audited by the Committee on Contingent Accounts and passed by the Senate: Provided, That no part of said contingent fund be used in giving extra pay to any of the employees of the Senate.

HOUSE.

Section 3. That the following sums, if so much be necessary, be, and the same are hereby, appropriated to pay the expenses of the House of Representatives from the 14th day of January, 1896, inclusive, to the close of the session, as follows:

For the per diem, at four dollars, mileage and stationery certificates of the members of the House of Representatives,

thirty thousand five hundred and two dollars; for the pay of John T. Duncan, member of the House of Representatives from the County of Newberry, one hundred and sixteen dollars; for the pay of John T. Gaston, a member of the House of Representatives from the County of Aiken, one hundred and twenty-one and 21-100 dollars; for the pay of J. Walter Gray, Clerk of the House of Representatives, nine hundred and thirty-three dollars; for the pay of S. W. Vance, Assistant Clerk of the House of Representatives, three hundred and fifty dollars; for the pay of Boyd Evans, Journal Clerk of the House of Representatives, two hundred and sixteen dollars, and four dollars per day for the number of days he may be actually engaged in the work of the House of Representatives after the adjournment thereof, not to exceed thirty days, said number of days of such engagement to be certified by said Journal Clerk; for the pay of J. S. Withers, Reading Clerk of the House of Representatives, three hundred and fifty dollars; for the pay of T. C. Hamer, Bill Clerk of the House of Representatives, two hundred and sixteen dollars; for the pay of N. H. Stansel, Sergeant-at-Arms of the House of Representatives, three hundred dollars; for the pay of J. W. Floyd, Jr., Clerk of the Committee of Ways and Means of the House of Representatives, two hundred and sixteen dollars; for the pay of W. H. McFeat, Clerk of the Judiciary Committee of the House of Representatives, two hundred and sixteen dollars; for the pay of W. H. Edwards, Clerk of the Committee on Claims, two hundred and sixteen dollars; for the pay of C. S. Bull, Clerk of the Committee on Enrolled Acts, thirty-six dollars; for the pay of L. M. Haseldon, Clerk of the Committee on Enrolled Acts, one hundred and eighty dollars; for the pay of H. W. Taylor, Peter Sanders and J. R. Witherspoon, Doorkeepers of the House of Representatives, each one hundred and sixty-two dollars; for the pay of Fitz Watson, Charles Moore, Luther Ashe and James Hough, Pages of the House of Representatives, each one hundred and eight dollars; for the pay of Tom Holman, Council Cross, R. W. Flynn and Lewis Butler, Laborers of the House of Representatives, each one hundred and eight dollars; for the pay of West Oliphant and Tom Gordon, Porters to the Committee Rooms of the House of Representatives, each one hundred and eight dollars; for the pay of J. Walter Gray, Jr., Keeper of the Speaker's

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Members of
the House, officers and attaches.

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room, one hundred and sixty-two dollars; for the pay of James Adamson, Porter of the Committee of Ways and Means, one hundred and eight dollars; for the pay of D. R. Sturkie, Mail Carrier of the House of Representatives, one hundred and sixty-two dollars; for the pay of Rev. L. T. Carroll, Chaplain of the House of Representatives, seventy-five dollars; for the incidental or contingent fund of the House of Representatives, five hundred dollars, if so much be necessary, to be paid on certificates drawn by the Speaker of the House of Representatives and attested by the Clerk of the House of Representatives, on accounts audited by the Committee on Contingent Accounts and passed by the House of Representatives: Provided, That no part of said contingent fund be used to give extra pay to any of the employees of the House of Representatives.

ENGROSSING DEPARTMENT.

Section 4. The sum of five thousand and five hundred dollars, if so much be necessary, be, and the same are hereby, appropriated to pay the expenses of the Engrossing Department of the General Assembly from the fourteenth day of January, 1896, inclusive, to the close of the session, as follows:

Solicitors and clerks in the Engrossing Department and other expenses.

For the pay of J. M. Johnson, M. F. Ansel, G. Duncan Belinger, W. St. Julian Jervey, P. H. Nelson, O. L. Shumpert and J. K. Henry, each four dollars per day for each day in actual attendance upon the session of the General Assembly, Solicitors in the (Engrossing Department) office of the Attorney-General; for the pay of F. F. Covington, Rachel Hemphill, Annie Caldwell, Annie Burgess, W. G. Hinnant, E. E. Smith, J. S. Hardin, Miss Maher, Miss M. I. Lindsay, D. P. Murphrey, Ida J. Wood, L. A. Lynch, M. J. Hough, M. K. Leckie, B. E. Guyton, Mrs. D. A. J. Outz, H. P. Payne, L. M. Acock, William White, Belle Williams, James F. Fanning, Mrs. E. P. Moore and W. M. Ellerbe, Miss Sophie Swearingen, Miss N. S. Wise, Miss J. G. Gibbes, G. H. Charles, B. F. Townsend and Miss Eva Kimball, Clerks in the (Engrossing Department) office of the Attorney-General, each four dollars per day for the time actually employed. To pay the mileage of the Circuit Solicitors as follows: J. M. Johnson, twenty and 60-100 dollars; M. F. Ansel, twenty-

eight and 80-100 dollars; P. Duncan Bellinger, nineteen and 40-100 dollars; P. H. Nelson, thirteen dollars; J. K. Henry, thirteen and 40-100 dollars; W. St. Julian Jervey, twenty-six dollars; and O. L. Shumpert, nine and 40-100 dollars. For the pay of E. P. Jenkins, Mail Carrier of the (Engrossing Department) office of the Attorney-General, fifteen dollars; for the pay of Henry Wherry, Porter of the (Engrossing Department) office of the Attorney-General, one hundred and eight dollars; for the pay of R. H. Nicholson, Flag Keeper, one hundred and eight dollars; for the pay of Aaron Owens and John Dillard, temporary special assistants to the Keeper of the State House, each, fifty-four dollars; to be paid on the joint certificate of both houses of the General Assembly, signed by the presiding officers thereof and attested by the Clerks.

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For the incidental or contingent expenses of the Engrossing Department, five hundred dollars, if so much be necessary, to be paid on certificates drawn by the Speaker of the House of Representatives and attested by the Clerk of the House of Representatives, on accounts audited by the Committee on Accounts of the House of Representatives and passed by the House of Representatives.

MISCELLANEOUS.

Section 5. That four hundred dollars be, and the same is hereby, appropriated to pay for the Code Commissioner, to be paid as salary of the other State officers are paid.

Code Commissioner.

Section 6. That the President of the Senate and Speaker of the House of Representatives, respectively, shall furnish pay certificates for the amount of per diem and mileage due to each officer and employee of that branch of the General Assembly to which such officer and employees shall, respectively, belong, signed by the respective officer and properly attested by the Clerks of such branch of the General Assembly

Pay certificates, how furnished.

Section 7. That this Act shall take effect from and immediately after its date of approval; and all Acts or parts of Acts inconsistent with the provisions of this Act be, and the same are hereby, for the purposes of this Act, repealed.

Approved the seventh day of March, A. D. 1896.

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No. 125.

- No. 150. AN ACT to Raise Supplies and Make Appropriations for the Fiscal Year Commencing January 1st, 1896, and for the Months of November and December, 1895.

Levy for State taxes. Section 1. Be it enacted by the General Assembly of the State of South-Carolina, That a tax of 4 1-2 mills, exclusive of the public school tax hereinafter provided for, upon every dollar of the value of all taxable property of this State be, and the same is hereby, levied for the purpose of meeting appropriations to defray the current expenses of the government for the fiscal year commencing January 1st, 1896, and to meet such other indebtedness as has been or shall be provided for in the several Acts and Joint Resolutions passed by this General Assembly at the session of 1896 providing for the same.

County tax. Section 2. That a tax is hereby levied upon all taxable property in each of the Counties of this State for County purposes for the fiscal year commencing January 1st, 1896, to the amounts hereinafter respectively stated; that is to say:

Abbeville. For the County of Abbeville, for ordinary County purposes, two and three-fourths (2 3-4) mills, and in Cokesbury and Ninety-Six Townships one and one-twelfth (1 1-12) mills to pay attorneys fees in railroad litigation against said townships.

Aiken. For the County of Aiken, for ordinary County purposes, four (4) mills, to be expended as follows: three-fourths (3-4) of one mill to be applied to back indebtedness; for County Auditor, \$400.00; for Commissioners and clerks, \$1,500.00; for Board of Equalization, \$173.00; for jurors, witnesses and Constables, \$5,000.00; for Clerk of Court, \$600.00; for Sheriff, \$2,500.00; for Magistrates and Constables, \$3,000.00; for Coroner, \$400.00; for poor house, \$1,500.00; for roads and bridges, \$6,024.00; for repairs on public buildings, \$300.00; for books and stationery, \$500.00; for contingent fund, \$1,000.00; for Treasurer \$300.00.

Anderson. For the County of Anderson, for ordinary County purposes, three (3) mills; for road tax, three-fourths of one (3-4) mill.

Barnwell. For the County of Barnwell, for ordinary County purposes, three (3) mills, to be expended as follows: For County

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Auditor, five hundred (\$500.00) dollars; for County Supervisor, one thousand (\$1,000.00) dollars; for Clerk of Board of County Commissioners, two hundred and fifty (\$250.00) dollars; for Treasurer, five hundred and twenty-five (\$525.00) dollars; for Board of County Commissioners, two hundred (\$200.00) dollars; for Clerk of Court, two hundred and fifty (\$250.00) dollars; for Township Boards, four hundred (\$400.00) dollars; for Court expenses, four thousand (\$4,000.00) dollars; for Sheriff and jail, one thousand two hundred and fifty (\$1,250.00) dollars; for Trial Justices and Constables, two thousand six hundred and seventy (\$2,670.00) dollars; for Coroner, two hundred and fifty (\$250.00) dollars; for stationery and printing, three hundred (\$300.00) dollars; for contingent expenses, five (\$500.00) dollars; for post mortem examinations, one hundred (\$100.00) dollars; for examination of lunatics, two hundred (\$200.00) dollars; for conveying lunatics, two hundred (\$200.00) dollars; for poor house, eight hundred (\$800.00) dollars; for chain gang, two thousand and two hundred (\$2,200.00) dollars; for roads, bridges and ferries, two thousand (\$2,000.00) dollars: Provided, That the Treasurer of Barnwell County be, and he hereby is, authorized and directed from time to time to borrow on his official note as County Treasurer or other evidence of indebtedness a sum or sums of money sufficient to pay the balance of the current expenses of the County of Barnwell after the expenditure of the money which is now on hand and after disbursing such sums of money as may accrue as profits from the County Dispensaries, and said Treasurer is hereby authorized and empowered to borrow such sum or sums of money for meeting the expenses of the free public school fund, and said Treasurer is authorized to pledge as security for such borrowed moneys the taxes levied for such purpose: Provided, That said sums shall not exceed three-fourths of the amount of the taxes levied for said ordinary County expenses and free public school funds: Provided, That if other compensation be hereafter provided by law for said officers they may receive the same without prejudice from this Section.

For the County of Beaufort, for ordinary County purposes, three and one-half (3 1-2) mills; for roads, bridges and ferries, one-fourth (1-4) of one mill; for past indebtedness, one-fourth (1-4) of one mill.

Beaufort.

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Berkeley.

For the County of Berkeley, for ordinary County purposes, three (3) mills; for poor house and poor, 3-4 mill; for bonds and interest, 1-4 mill; for Court expenses, 3-4 mill; for building court house, (1 1-2) mills.

Chester.

For the County of Chester, for ordinary County purposes, five (5) mills; for interest on and for retiring railroad bonds, two (2) mills.

Chesterfield.

For the County of Chesterfield, for ordinary County purposes, seven (7) mills; for interest on railroad bonds, 1-4 mill; for past indebtedness, one and one-fourth (1 1-4) mills; and the County Board of Commissioners of Chesterfield County are hereby authorized to borrow a sum not exceeding eighty per centum of the amount of taxes herein levied for the purpose of paying off the expenses of the County as the same shall fall due: Provided, That not more than seven per cent. per annum shall be paid for the use of said money; and the taxes herein levied will be pledged for the repayment of the same.

Charleston.

For the County of Charleston, in which the levy shall be 2 1-4 mills. That the proceeds of 1-8 of one mill of said levy shall be set apart and applied to the use of the militia in said County, in accordance with the special Act thereto relating. That the remainder of said levy shall be applied as follows: The sum of twenty-five hundred dollars is hereby appropriated to the cost of constructing the stone roadway leading from the city of Charleston towards the County line and for no other purpose whatsoever, such sum to be expended entirely and directly in such work and repairs on said road, not in the payment of salaries of any official connected with such road; and the remainder of the proceeds of said levy shall be used for general County purposes, including therein Court and jail expenses; also the sum of one thousand dollars, if so much be necessary, to defray the cost of necessary repairs to roads and bridges and ferries; and also such sum as may be necessary to pay in full whatever balance may remain due and unpaid on the notes of the County Treasurer, given by him under authority of law, or any deficiency caused by the payment of such notes out of any other funds, and also the amount hereinbefore appropriated for continuing the construction of the stone roadway.

That the City Treasurer of the city of Charleston shall levy and collect, when the first installment of the city tax is paid, in addition to the one mill tax now provided by law, an additional tax of 1-4 of one mill, to be accounted for and paid over by the said City Treasurer as the said one mill tax is now accounted for and paid, and the proceeds thereof to be used in support of the public schools of said city.

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Levy for public schools of the city of Charleston.

That the sum of five hundred dollars of the public school fund appropriated to the support of the public schools in the city of Charleston shall be used in aid of the Art School in the city of Charleston in consideration that the instructor of such school shall give to the pupils of the city public schools such instruction in drawing as the Board of Commissioners of the public schools of the city of Charleston may require, to be paid to the order of the President of the Carolina Association. That the County Treasurer of Charleston be, and he is hereby, authorized and directed to borrow, from time to time, and as the same may be required, on his official note as County Treasurer or other similar official evidence of indebtedness, after three (3) days' notice by advertisement once in some newspaper of greatest circulation published in the city of Charleston, a sum or sums not exceeding in all fifty-five thousand dollars on the lowest terms offered, at a rate of interest not exceeding seven per cent. per annum, for the purpose only of paying the salaries and commissions of all County officials whose salaries and commissions are fixed by law; also to pay the Court expenses; also the sum of two hundred dollars, if so much be necessary, to be expended by the Clerk of the Court of said County towards the preservation of the books and records in said office; also the sum of two hundred dollars, if so much be necessary, to be expended by the Judge of Probate of said County towards the preservation of the books and records in said office.

Public school fund, how to be used.

Also the sum of four hundred dollars, if so much be necessary, to be expended by the Register of Mesne Conveyance of said County towards the preservation of the plats and books and other records in said office; each of said amounts to be expended under a contract to be made by said officers, respectively, with the approval of the County Board of Commissioners; said amount, if so much be necessary, to be drawn by the warrant of said officers, respectively, upon the County Treasurer, approved by said Board.

Appropriations for expenses in office of Register of Mesne Conveyance.

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 Past due
 claims.

Also the sum of forty-six hundred and forty-one (47-100) dollars (\$4,600.41 47-100) with interest thereon from the first day of November, 1895, to pay the past due claim for construction of stone roadway.

For ordinary
 County purposes

Also, such expenditures for ordinary County purposes as require immediate payment; such sum so borrowed to be repaid with interest thereon by the said County Treasurer from the taxes levied upon and to be collected in the said County for the present fiscal year; and from all funds paid to the County from the Dispensaries for said County which should not have been used for current expenses of said County as soon as the same may be collected, and to constitute a valid claim against said County, and a lien prior to all others except unpaid Treasurer's notes of the preceding year on all of the County taxes levied, except the school tax and the tax for the use of the militia in the said County, for the present and future fiscal years, until the same are paid and discharged in full; such amounts, if so borrowed, to be paid on such salaries and claims without any preference whatever. That the County Treasurer be, and he is hereby, authorized and instructed to pay on the warrant of the School Commissioner the sum of five hundred dollars, if so much be necessary, to be expended solely in the payment of salaries for the school teachers in School District No. 1 of Charleston County, and that said sum be charged against said school district, and be repaid out of the school tax of said district when the same shall be collected.

No claim for rent for offices of any County official shall hereafter be audited by said Board of County Commissioners or paid by the Treasurer of said County.

Claims against
 County, how to
 be paid.

That all claims against the County, except the salaries and commissions of the County officers whose salaries and commissions are fixed by law and the County Treasurer's notes hereinabove provided, shall be paid upon the warrant of the County Supervisor as hereinafter provided; the salaries and commissions of such officers whose salaries and commissions are fixed by law to be paid by the County Treasurer monthly on the receipt of such officers.

All claims and demands of every kind whatsoever against said County, except such salaries and Treasurer's notes, shall be first audited by a Committee of three, certified and signed by them and the secretary of the Board, to be elected

from said Board by the County Board of Commissioners from time to time, and the County Supervisor is hereby required to draw his separate warrant on the County Treasurer for each of said claims so audited: Provided, The money to meet the same is in the hands of the County Treasurer.

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For the County of Colleton, for ordinary County purposes, three and one-half (3 1-2) mills; for interest on railroad bonds, three-quarters (3-4) of one mill, surplus, if any, to be applied to the funds provided for by Act of the General Assembly for the redemption of County railroad bonds; for past indebtedness, one and one-half (1 1-2) mills: Provided, All profits accumulating to the County from the sale of liquor be applied to the payment of current County expenses: Provided, further, That the sum of eight dollars, if so much be necessary, is hereby appropriated out of the levy for past indebtedness to pay the ordinary traveling expenses and per diem of the County Board of Commissioners, and the per diem of the several Township Boards of Commissioners of the County and their clerks for the year ending December 31, 1895, and for the purpose of carrying out this proviso the Supervisor is hereby authorized to draw his warrant upon the County Treasurer, and the County Treasurer is hereby required to pay the same: Provided, further, That the current County expenses for the months of November and December is hereby declared to be past indebtedness of the County, and shall be paid as other County expenses out of the levy herein raised for that purpose: Provided, further, That the County Board of Commissioners of said County are hereby authorized and required to borrow from time to time such sum or sums of money as may be necessary to pay all Court expenses and so much of the past indebtedness as applies to current County expenses for the months of November and December in the year 1895, and so much as applies to the mileage and per diem of the County Board of Commissioners and the per diem of the several Boards of Township Commissioners and the salary of the clerk of the said Board of Commissioners and interest on County railroad bonds, at a rate of interest not to exceed seven per cent. per annum, and to pledge as security for such money borrowed the tax herein levied for such purposes.

Colleton.

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Clarendon.

For the County of Clarendon, for ordinary County purposes, and for the pay of Township Commissioners for the year 1895, three and one-fourth (3 1-4) mills. And the County Supervisor is hereby authorized to draw his warrant on the Treasurer in favor of the several Township Commissioners for the various amounts due the said Commissioners for services rendered for the year 1895; and the Treasurer is hereby authorized to pay the same.

Darlington.

For the County of Darlington, for ordinary County purposes, three (3) mills; for past indebtedness and road tax, (1-2) mill.

Edgefield.

For the County of Edgefield, for ordinary County purposes, one and one-half (1 1-2) mills; for jurors and witnesses, 3-8 mill; for repairs of roads, bridges and maintaining ferries, 3-4 of one mill; for past indebtedness, 5-8 of one mill, and in Cooper Township one and one-twelfth (1 1-12) mill to pay attorneys fees in railroad litigation against said township. And the County Board of Commissioners are authorized and empowered to borrow money for said purposes, or any one of them, and pledge said levy for all or any one of said purposes as security therefor: Provided, That the officials of said County be paid in cash out of money borrowed by the County. Such officials shall discount their claims at the same rate of discount paid by said County.

Fairfield.

For the County of Fairfield, for ordinary County purposes, three and one-half (3 1-2) mills; for past indebtedness, three-fourths (3-4) of one mill. The County Board of Commissioners is hereby authorized to borrow money for Court expenses and any other deficiency: Provided, That the rate of interest shall not exceed seven per cent. per annum.

Florence.

For the County of Florence, for ordinary County purposes, four and one-half (4 1-2) mills; for past indebtedness, one-fourth (1-4) of one mill, of which one hundred and forty dollars shall be used in paying the County Board of Commissioners of Florence County for services rendered during the year 1895. And the Supervisor of Florence County is hereby authorized to borrow, from time, as may be necessary, such amounts of money as may be required to pay witnesses, jurors and Court Constables and past indebtedness, not to exceed four thousand (\$4,000) dollars, not above legal rate of interest, and to pledge taxes of 1896 for same.

For the County of Georgetown, for ordinary County purposes, five (5) mills; for the months of November and December, 1895, one (1) mill; for repairing fence, a tax of seven (7) mills on all live stock in Townships No. 5 and 6; for past indebtedness of Winyah school, a tax of 1-4 of one mill on all property in the Winyah school district.

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Georgetown.

For the County of Greenville, for ordinary County purposes, three (3) mills; for interest on Air Line Railroad bonds, one (1) mill; for interest on Greenville and Laurens Railroad bonds, 1-2 of one mill; for retiring Air Line Railroad bonds, 3-4 of one mill; for past indebtedness, one and one-fourth (1 1-4) mills; for making and completing new index to the books in the office of the Register of Mesne Conveyance, one-sixteenth (1-16) of one mill.

Greenville.

For the County of Hampton, for ordinary County purposes, four and one-half (4 1-2) mills.

Hampton.

For the County of Horry, for ordinary County purposes, three and one-half (3 1-2) mills; for the poor of County, one (1) mill; for roads and bridges, 2-3 of one mill; for public buildings, 2-3 of one mill; in the Townships of Conway, Bayboro, Green Sea and Simpson Creek, four (4) mills, to pay interest on railroad bonds, and balance to form sinking fund for redemption of bonds.

Horry.

For the County of Kershaw, for ordinary County purposes, three (3) mills; for interest on railroad bonds, two and one-half (2 1-2) mills; for jurors, witnesses and Constables, 3-4 of one mill.

Kershaw.

For the County of Lancaster, for ordinary County purposes, five (5) mills; for interest on County bonds issued in aid of the Cheraw and Chester Railroad, three (3) mills: Provided, That any balance that may remain of the funds arising from the foregoing levies, after the payment of all claims against the same, may be applied to any claim against the County; for the payment of interest on township bonds issued in aid of the Charleston, Cincinnati and Chicago Railroad, the following special taxes are hereby imposed: In Pleasant Hill Township, three (3) mills, and in Gill Creek Township, four (4) mills: Provided, also, That the County Treasurer shall apply to the payment of interest on bonds of Pleasant Hill and Gill Creek Townships the funds arising from the property of the Ohio River and Charleston Railroad Company in the County of Lancaster

Lancaster.

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on the levy for ordinary County purposes, to be applied to said interest in proportion to the amount of the bonds of said townships respectively outstanding.

Laurens.

For the County of Laurens, for ordinary County purposes, two and one-fourth (2 1-4) mills; for railroad tax, three and one-half (3 1-2) mills.

Lexington.

For the County of Lexington, for ordinary County purposes, three (3) mills; one-half (1-2) mill for additional special; for interest on C., L. and N. Railroad bonds in Broad River Township, two (2) mills; for interest of C., L. and N. Railroad bonds in Fork Township, one (1) mill; for interest on C., L. and N. Railroad bonds in Saluda Township, two (2) mills; for retiring bonds in each of the above townships, one (1) mill: Provided, That in anticipation of the collection of said tax the County Commissioners be, and they are hereby, authorized to borrow on the credit of the County and upon the pledges of the taxes first collected and turned over to the County Treasurer the sum of six thousand dollars, if so much be necessary, for the current expenses of the County for the fiscal year ending October 31st, 1896, at a rate of interest not exceeding seven per cent. per annum: And provided, further, That the County Treasurer and County School Commissioner of Lexington County be, and they are hereby, authorized to borrow from time to time during the fiscal year such sums of money as may be necessary to pay the school claims of said County, not to exceed the sum of eight thousand five hundred dollars, at a rate of interest not to exceed seven per cent., and to pledge the taxes to be collected for that purpose for the payment of the money so borrowed and the interest thereon, and the County Commissioners be, and are hereby, authorized to use the funds arising from the special County tax of one-half (1-2) of one mill hereinbefore provided for such County purposes as they deem proper: Provided, That all money borrowed shall be held and paid out by the County Treasurer as now provided by law.

Newberry.

For the County of Newberry, for ordinary County purposes, three and five-eighths (3 5-8) mills.

Marlborough.

For the County of Marlborough, for ordinary County purposes, three (3) mills; for past indebtedness, one (1) mill; and the County Board of Commissioners are hereby authorized to borrow two thousand dollars, if so much be neces-

sary, for the purpose of paying jurors, witnesses and Constables for the Courts of Common Pleas and General Sessions for the fiscal year of 1895 and 1896, to pay a rate of interest not exceeding eight per cent. per annum, and to pledge therefor the levy for ordinary County purposes.

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For the County of Marion, for ordinary County purposes, three and one-fourth (3 1-4) mills; for past indebtedness, one mill; that the County Board of Commissioners of Marion County be authorized to borrow an amount sufficient to pay jury and witness tickets; that the County Board of Commissioners are authorized to borrow a sufficient sum of money to pay all past due claims against the County and to give their notes for same, payable in four years, at a rate of interest not exceeding seven per cent.

Marion.

For the County of Pickens, for ordinary County purposes, three and one-half (3 1-2) mills; for past indebtedness, six (6) mills; and the County Board of Commissioners are authorized to use any overplus from any tax levy for any County purposes they may see fit.

Pickens.

For the County of Richland, for ordinary County purposes, three (3) mills; for jurors and witnesses for 1896, three-fourths (3-4) of one mill; also, an additional tax of three-fourths (3-4) of one mill in Columbia Township for railroad purposes, and additional tax of one-fourth (1-4) of one mill in said township for a sinking fund for the purpose of retiring railroad bonds; and in addition thereto there shall be levied a tax of two (2) mills in the School District of the city of Columbia in lieu of any special tax authorized to be levied by an Act entitled "An Act to provide for establishment of a new school district in Richland County and to authorize the levy and collection of a local tax therein," approved December 24, 1880. That the sum of six hundred dollars, if so much be necessary, is hereby appropriated, to be paid as other County claims are paid, out of any County funds not otherwise appropriated, for the preparation and completion of new indexes to the deed books and real estate mortgage books from the year 1865 to 1894, inclusive, said indexes to be arranged lexicographically in the same manner that the indexes to the judgment books commencing in 1865 are arranged, and the County Supervisor is hereby authorized to make contract for the preparation and completion of said work with the Register of Mesne Conveyances:

Richland.

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Provided, That the compensation for said work shall not exceed eight hundred dollars, to be paid in installments as the work progresses and in proportion to the amount of work done: And provided, further, That said contract shall provide for the completion of said work on or before January first, 1897. That the sum of one hundred and fifty dollars is hereby appropriated, to be paid as other County claims are paid, out of any County funds not otherwise appropriated, for the pay of the present County Treasurer for services for collecting and disbursing special taxes levied for fiscal year beginning November first, 1894.

Sumter.

For the County of Sumter, where the tax shall be three and three-tenths (3 $\frac{3}{10}$) mills, as follows: three-tenths of one ($\frac{3}{10}$) mill to pay the claims for the months of November and December, 1895, and three (3) mills for the fiscal year ending December 31st, 1896. The County Board of Commissioners of Sumter County are hereby authorized and empowered to borrow sufficient sums of money for the purpose of paying jurors, witnesses and Constables for the Courts of General Sessions and Common Pleas, and to pay a rate of interest or discount not exceeding eight per cent. per annum on such loan. That the County Board of Commissioners shall within ninety days proceed to carry into effect the provisions of "An Act to authorize the issue of \$15,000 of bonds in Sumter County to raise funds for past indebtedness and for repairing and furnishing the court house," approved December 21, A. D. 1894.

Saluda.

For the County of Saluda, for ordinary County purposes, two (2) mills; for jurors and witnesses, $\frac{3}{8}$ of one mill; for repairs of roads, bridges and ferries, $\frac{3}{4}$ of one mill; for extra levy to pay interest and part of principal on bonds to be issued to build court house and jail, one and one-half (1 $\frac{1}{2}$) mills; for surveying County and other expenses, $\frac{1}{8}$ of one mill.

Spartanburg.

For the County of Spartanburg, for ordinary County purposes, three (3) mills; for interest on railroad bonds, one and one-fourth (1 $\frac{1}{4}$) mills; for sinking fund, one (1) mill; for road tax, three-fourths ($\frac{3}{4}$) of one mill; for new jail, $\frac{1}{2}$ of one mill.

Union.

For the County of Union, for ordinary County purposes, four (4) mills; for interest on railroad bonds, three (3) mills; for sinking fund to retire bonds, two (2) mills; for road tax,

one mill; and the County Board of Commissioners of said County are hereby authorized and empowered to borrow three thousand dollars for County purposes and three thousand dollars for school purposes.

A. D. 1896.

For the County of Oconee, for ordinary County purposes, two and one-half (2 1-2) mills; for Court expenses, one (1) mill; for roads, one (1) mill. And the County Board of Commissioners are authorized and empowered to borrow money for said purposes or any one of them, and pledge said levy for all or any one of said purposes as security therefor.

Oconee.

For the County of Orangeburg, for ordinary County purposes, two and one-half (2 1-2) mills.

Orangeburg.

For the County of Williamsburg, for ordinary County purposes, five (5) mills; and the County Board of Commissioners are hereby authorized to borrow twenty-seven hundred dollars for the purpose of paying jurors, witnesses and Constables for the Courts of Common Pleas and General Sessions for the fiscal year 1895 and 1896, and an outstanding debt of nine hundred and ninety-six dollars and fifty-one cents due the Central National Bank of Columbia, S. C., and to pledge therefor the levy made for ordinary County purposes, and to pay a rate of interest not exceeding eight per cent. on said loan. After paying jurors, witnesses, Constables and the aforesaid debt to the bank, if there remain a balance of said fund, the same to be applied to any outstanding indebtedness.

Williamsburg.

For the County of York, for ordinary County purposes and past indebtedness, three and one-half (3 1-2) mills. The County Board of Commissioners of York County are hereby authorized and required also to levy a special tax to meet the interest on the bonds in aid of the Charleston, Cincinnati and Chicago Railroad Company in the following townships, to wit: In Catawba Township, one (1) mill; in Cherokee Township, one (1) mill; in Ebenezer Township, one (1) mill; in York Township, six (6) mills; and the County Board of Commissioners of York County are hereby authorized and, in the event they find it necessary, empowered to borrow at a rate of interest not exceeding eight per cent. per annum a sum of money sufficient to pay the judgment of P. P. Dickinson against York Township, and the County

York.

A. D. 1896.

Board of Commissioners of York County are further authorized and required to levy a special tax in Broad River Township of one (1) mill to pay the balance of D. E. Findley and W. P. McCaw against said township. That the County Board of Commissioners of York County are authorized to borrow the sum of five thousand dollars for ordinary County purposes. Out of said sum the County Board of Commissioners of York County are authorized, in their discretion, to expend a sum not exceeding four hundred dollars for the purposes of providing quarters or accommodations for prisoners at such place or places as they may deem proper.

Directors of
the Penitentiary
to pay State
Treasurer
amounts re-
ceived from hire
of convicts.

Section 3. That the Board of Directors of the State Penitentiary are hereby directed to pay into the Treasury of the State at the end of each three months, or within five days thereafter, all amounts received by them from the hire of convicts and from other sources, after first paying the necessary expenses of the said institution and all other disbursements authorized by law, the said amounts so paid into the Treasury to be held subject to the warrants of the Comptroller-General to pay amounts appropriated by the General Assembly in the same manner as other funds in the Treasury. And the Board of Directors are hereby instructed, as far as practicable, in hiring out or working convicts, to hire or work the same on farms in healthy locations and which are exempt from danger of overflow. And the Board of Directors are hereby instructed in hiring out or working convicts for other than agricultural purposes to receive as compensation for services of said convicts lawful money of the United States only.

Proceeds of
levies, how kept

Section 4. That all the proceeds of the taxes levied for and on account of the State, as specified herein, shall be deposited and kept by the State Treasurer in such bank or banks, or places of special deposit, as in the judgment or discretion of the Governor, the Comptroller-General and the State Treasurer, or any two of them, shall afford sufficient protection to the interests of the State.

Taxes, how
collected.

Section 5. That the County Auditors and County Treasurers of the several Counties of this State are hereby required, under the direction and supervision of the Comptroller-General, to make collections of the taxes levied under and pursuant to the provisions of this Act, in the manner and at the time and under the conditions herein-

after provided; and they are hereby forbidden to collect any other tax whatsoever levied for the fiscal year unless herein expressly authorized so to do, except the taxes authorized by law to meet the interest and retire the bonds issued by Counties and townships in aid of railroads, or taxes voted by towns or Counties or assessed upon townships as subscriptions to railroads, and taxes to build fences, under Statutes authorizing and directing the same; and except, also, the special school tax authorized to be levied in any school district of the State, and except such special tax or collection as is authorized by any Act or Joint Resolution of the General Assembly. And the County Treasurers of the several Counties of this State are hereby prohibited from collecting any tax except such as have been first entered on the tax duplicate of their respective Counties, or upon the orders of the Auditors of said Counties: Provided, That said County Treasurers shall furnish the County Auditors of their respective Counties with the names of all taxpayers as may apply to pay their taxes against whom no taxes shall have been entered on the tax duplicates. And any State or County officer who shall fail to comply with, or shall evade, or attempt to evade, the provisions of this Act shall be deemed guilty of a felony, and upon conviction thereof shall be punished by fine not to exceed five thousand dollars, or imprisonment for a period of not more than five years, or both, in the discretion of the Court.

A. D. 1896.

Section 6. That there shall be assessed upon all taxable polls in this State a tax of one dollar on each poll, the proceeds of which tax shall be applied solely to educational purposes. Every male citizen between the ages of twenty-one and sixty years, except those incapable of earning a support from being maimed or from other causes, and except those who are now exempt by law, shall be deemed taxable polls.

Poll tax.

Section 7. That all taxes assessed and payable under this Act shall be paid in the following kinds of funds and no other: Gold and silver coin, United States currency, national bank notes, and coupons which shall become due and payable during the year 1896 on the consolidated bonds of this State known as "Brown Bonds," and the bonds of this State known as "Blue Bonds," and on any other State bonds

In what
money taxes
must be paid.

A. D. 1894.

which may be issued by authority of an Act of the General Assembly, the coupons of which are by such Act made receivable for taxes: Provided, however, That jury certificates and the per diem of State witnesses in the Circuit Court shall be receivable for County taxes, not including school taxes.

Taxes, when due.

Section 8. That all taxes herein assessed shall be due and payable from the fifteenth day of October to the 31st day of December, 1896, and the several County Treasurers shall collect the same in the manner prescribed by law and give receipts therefor to the several parties paying the same, in which the real estate paid on shall be briefly described, and the value of the personal property paid on shall be stated, together with the time such taxes are paid and the amount of the same.

County Treasurers to give notice of collection.

Section 9. That the County Treasurer, immediately upon the receipt of the tax duplicate for the year from the County Auditor, shall cause a notice to be inserted in one daily newspaper at the County seat of their County stating the rate per centum of the levy for State purposes and the rate per centum for all other purposes on the duplicate for the present fiscal year; and if any special levies have been made on the property of a school or other district not affecting an entire County the total rate of levies in such district shall also be stated in such notice.

Penalty for non-payment.

Section 10. That when the taxes and assessments, or any portion thereof, charged against any property or party on the duplicate for the present fiscal year shall not be paid on or before the 31st day of December, 1896, the County Treasurer shall proceed to collect the same, together with the penalty of fifteen per centum on the amount so delinquent; and if the amount of such delinquent taxes, assessments and penalties shall not be paid on or before the fifteenth day of January, 1897, or collected by distress or otherwise, then the same shall be treated as delinquent taxes on such real or personal property according to law.

Distress for non-payment.

Section 11. That all personal property subject to taxation shall be liable to distress and sale for the payment of taxes and assessments as provided by law.

Real property, how sold for.

Section 12. That all real property returned delinquent by the County Treasurer upon which the taxes shall not be paid by distress and sale of personal property or otherwise

shall be seized and sold as provided by law: Provided, That distress and sale of personal property shall not be a condition precedent to the seizure and sale of any real property hereunder.

A. D. 1890.

Section 13. That the County Board of Commissioners in each of the several Counties of this State shall levy a tax of three mills on the dollar upon all taxable property of their respective Counties for the support of public schools in their respective Counties, which shall be collected at the same time and by the same officers as the other taxes for this year, and shall be held in the County treasuries of the respective Counties and paid out exclusively for the support of public schools as provided by law.

School tax.

Section 14. That all personal property used in connection with mines and mining claims, and all lands not actually mined connected with mines and mining claims, shall be assessed for taxation and be taxed as is done in the case of other personal and real estate. That in all cases where land is actually mined such land shall not be assessed for taxation or taxed, but in lieu thereof the gross proceeds alone of such mines and mining claims shall be assessed and taxed, and such gross proceeds shall be ascertained and determined by the cash market value of the material mined.

Mining claims,
how assessed.

Section 15. That in anticipation of the collection of the taxes hereinbefore levied, the Governor and the State Treasurer be, and they are hereby, empowered to borrow, on the credit of the State, so much money as may be needed to meet promptly at maturity the interest which shall mature during the year 1896 on the valid debt of the State and to pay the current expenses of the State government for the present fiscal year: Provided, That the sum so borrowed shall in no event exceed the amount of three hundred thousand (\$300,000) dollars.

Governor and
State Treasurer
may borrow in
anticipation of
collection.

Section 16. That this Act shall take effect from and immediately after its approval.

Approved the seventh day of March, A. D. 1896.

No. 126.

AN ACT Providing for an Additional Magistrate for Abbeville County, at Calverts. No. 166.

Section 1. Be it enacted by the General Assembly of the State of South Carolina, That in addition to the Magistrates

A. D. 1896.
 Additional
 Magistrate in
 Abbeville Coun-
 ty.

now provided by law for Abbeville there shall be appointed by the Governor, with the advice and consent of the Senate, one Magistrate for said County at Calverts, in said County, who shall have all the powers and privileges of the other Magistrates of said County, and receive as compensation the sum of forty dollars a year in lieu of all costs and fees in criminal cases.

Approved the ninth day of March, A. D. 1896.

No. 127.

No. 169. AN ACT to Provide for the Appointment of an Additional Magistrate for Berkeley County.

Additional
 Magistrate in
 Berkeley.

Section 1. Be it enacted by the General Assembly of the State of South Carolina, That the Governor shall appoint a Magistrate for Berkeley County in addition to those already provided for, who shall reside and hold his Court at or near Trial in said County.

Section 2. That said Magistrate shall be authorized and empowered to appoint a Constable. That said Magistrate and Constable shall each receive one hundred dollars per annum in lieu of the cost and charges in criminal cases.

Approved the ninth day of March, A. D. 1896.

No. 128.

No. 163. AN ACT to Amend Section 808 of the General Statutes of 1882, (Appearing as a Part of Section 862 in the Revised Statutes of 1893) Relating to the Trial Justices of Charleston County.

Magistrates in
 Charleston
 County.

Section 1. Be it enacted by the General Assembly of the State of South Carolina, That Section 808 of the General Statutes of 1882, (appearing as a part of Section 862 in the Revised Statutes of 1893) be, and the same is hereby, amended so as to read as follows: "The Magistrates of said County outside of the city of Charleston shall be and shall be located as follows: One on Edisto Island; one on Wad-

A. D. 1896.

malaw Island; one on John's Island; one on James Island; one on Sullivan's Island; one in the Parish of St. Andrew; one at the town of Mount Pleasant; one at Owendaw Bridge on Owendaw Creek, which divides the Parish of St. James Santee from Christ Church Parish; one at McClellanville. They shall have jurisdiction as Magistrates and as a Deputy Coroner over any part of said County outside of the said city, and shall receive such salary as may be provided by law. There shall also be one Magistrate for that part of said County embraced between the Cooper River on the East and Line street in said city on the South, and Ashley River on the West and the Northern line of said County running from the Ashley River to the mouth of Goose Creek where it empties into the Cooper River: his jurisdiction shall be limited to his part of said County, embraced as aforesaid, and also to the other part of the city of Charleston lying South of Line street in said city; he shall have the same duties and powers as the Ministerial Magistrates in said city, and he shall return his cases to and try them in the Magistrates' Courts in the said city of Charleston and shall be a part of the system of said Courts; he shall enter into a bond with the State (with sureties) in the sum of one thousand dollars, as it is required of the Magistrates of the said city of Charleston, and he shall receive as full compensation for all claims against the County whatever such salary as may be provided by law.

Approved the ninth day of March, A. D. 1896.

No. 129.

AN ACT to Provide an Additional Magistrate for Colleton County. No. 32.

Section 1. Be it enacted by the General Assembly of the State of South Carolina, That immediately after the approval of this Act the Governor shall appoint a Magistrate for Colleton County, in addition to those now provided for

Additional
Magistrate in
Colleton County

A. D. 1896.

by law. Said Magistrate shall reside at or near Harleyville and shall serve without compensation. His jurisdiction shall be confined to territory within Carn and Graham Townships.

Approved the twenty-fifth day of February, A. D. 1896.

No. 130.

No. 171. AN ACT to to Amend Section 1 of "An Act to Regulate the Number of Trial Justices in Florence County," Approved December 17, 1894.

Section 1. Be it enacted by the General Assembly of the State of South Carolina, That Section 1 of "An Act to regulate the number of Trial Justices in Florence County," approved December 17, 1894, be, and the same is hereby, amended by striking out the word "one," on line 7, and inserting in lieu thereof the word "two," so that the said Section shall read as follows:

Magistrates in
Florence Coun-
ty.

Section 1. Be it enacted by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That from and after the passage of this Act there shall be seven Trial Justices in and for the County of Florence, who shall be located as follows, to wit: Two (2) in the city of Florence, each shall receive a salary of two hundred and fifty dollars per annum; one for the town of Timmons ville, who shall receive a salary of one hundred and twenty-five dollars per annum; one for the township of McMillan, who shall receive a salary of fifty dollars per annum; one in Pee Dee Township, who shall receive a salary of fifty dollars per annum; one in Effingham Township, who shall receive a salary of fifty dollars per annum; one in Mott's Township, who shall receive a salary of fifty dollars per annum; such salaries to be paid said Trial Justices in lieu of all costs and fees in criminal cases.

Approved the ninth day of March, A. D. 1896.

No. 131.

A. D. 1896.

AN ACT to Amend Section 871 of Vol. I of the Revised Statutes, Relating to Magistrates in Hampton County. No. 168.

Section 1. Be it enacted by the General Assembly of the State of South Carolina, That Section 871 of Vol. I of the Revised Statutes be, and the same is hereby, amended by striking out said Section and inserting in lieu thereof the following:

"Section 871. Three Magistrates shall be appointed for Hampton County, who shall reside, one in Peoples or Goethe Township, one in Lawton or Robert Township, and one in Coosawhatchie or Pocotaligo Township. Each said Magistrate shall receive a salary of one hundred and fifty dollars per annum. Each of the Magistrates so appointed shall be authorized and empowered to appoint and employ a person to act as Constable, who shall receive as compensation for his services the same amount as that received by the Magistrate making such appointment. Said salaries shall be paid quarterly by the County Treasurer in equal installments upon the warrant of the County Supervisor, and shall be in lieu of all costs and fees in criminal cases. The costs and fees to which said Magistrates and Constables would have been entitled but for the provisions of this Section shall be collected and paid over to the County treasury of said County, together with all fines collected. And each of said Magistrates shall, at least ten days prior to each term of the Court of General Sessions for the County wherein he resides, make out and file with the Clerk of said Court a certified transcript of his criminal docket, which shall show the amount of fees, costs and fines imposed and the amount collected thereon. If any Magistrate or his Constable shall receive any compensation for discontinuing or compromising any criminal case, it shall be deemed sufficient cause for forfeiture of his office, and if any such charge should be substantiated the Governor shall at once remove him and appoint a successor. Each of said Magistrates and Constables shall enter into bond in the penal sum of two hundred and fifty dollars, with security, to be approved by the County Board of Commissioners of said County, for the faithful performance of his duties. In cases of breach of the peace the jurisdiction of Magistrates now or hereafter

Magistrates in
Hampton County.

A. D. 1896.

to be appointed for the Counties of Beaufort and Hampton resident at or near Hardeeville, Yemassee and Ridgeland is extended over both said Counties to the limit of one-half mile in each and every direction from the Charleston and Savannah Railway depots at said places.

Approved the ninth day of March, A. D. 1896.

No. 132.

No. 31. AN ACT to Establish a New Judicial District in Lexington County and to Provide a Magistrate Therefor.

Additional
Magistrate in
Lexington
County.

Section 1. Be it enacted by the General Assembly of the State of South Carolina, That another judicial district in addition to the number now existing in Lexington County shall be, and is hereby, created, embracing all of Congaree Township except all that portion lying on the South side of "Congaree Creek," and there shall be appointed, by the Governor, a Magistrate to preside over said district to be known as the Seventh Judicial District.

Office to be in
Brookland; sal-
ary of and of his
Constable.

Section 2. Said Magistrate so appointed shall keep his office in the town of Brookland in the said township, and shall receive as compensation in lieu of all fees and costs in criminal cases the sum of one hundred dollars, and the Constable appointed by him the sum of seventy-five dollars in lieu of all fees in criminal cases; said Magistrate and Constable to be paid as provided by law for the Trial Justices and Constables in Lexington County.

Section 3. That all Acts or parts of Acts inconsistent with this Act be, and are hereby, repealed.

Section 4. That this Act shall take effect immediately upon its approval.

Approved the twenty-fifth day of February, A. D. 1896.

No. 133.

No. 179. AN ACT to Provide for an Additional Magistrate in Orangeburg County.

Additional
Magistrate in
Orangeburg
County.

Section 1. Be it enacted by the General Assembly of the State of South Carolina, That there shall be appointed for Orangeburg County an additional Magistrate, who shall

reside at or near Springfield, and whose jurisdiction shall extend over the territory contained in the district known as number six, situated to the West of a line drawn from the mouth of Goodland Swamps on South Edisto River to Jones Bridge on North Edisto River, said district to be known as number 9.

A. D. 1896.

Section 2. That said Magistrate shall have like jurisdiction with the other Magistrates now in office for said district number six, and such jurisdiction, be, and the same is hereby, restricted to so much of the territory of said district as lies East of said line. -

Jurisdiction of.

Section 3. This Act shall not take effect until a straight line is run by a surveyor from the mouth of Goodland Swamp on South Edisto River to Jones Bridge on North Edisto River as provided for in Section 1 of this Act.

When Act to take effect.

Section 4. That said Magistrate shall have the power and authority to appoint a Constable, and he and his Constable shall receive each the sum of fifty dollars per annum in lieu of all fees, costs and charges in criminal cases.

Power to appoint a Constable.

Approved the ninth day of March, A. D. 1896.

No. 134.

AN ACT to Further Regulate the Jurisdiction and Places of Residence of Certain Magistrates in the County of Orangeburg.

No. 167.

Section 1. Be it enacted by the General Assembly of the State of South Carolina, That after the expiration of the term of office of the present incumbent the Magistrate for the district embracing the townships of Amelia, Pine Grove and Lyons, in said County, shall reside in the town of St. Matthews and keep his office in said town.

Territorial jurisdiction of Magistrate in Orangeburg County.

Approved the ninth day of March, A. D. 1896.

No. 135.

AN ACT to Establish an Additional Magistrate in Lower Township of Richland County.

No. 57.

Section 1. Be it enacted by the General Assembly of the State of South Carolina, That another Magistrate in addition to the existing number of Magistrates shall be appointed by the Governor at Wateree, in Lower Township of

Additional Magistrate in Richland County.

A. D. 1896.

Richland County, the powers, duties, term of office and compensation of such Magistrate and his Constable to be same as provided by law in respect to the Magistrate and Constable located at Gadsden, in said County.

Section 2. That this Act shall take effect immediately upon its approval.

Section 3. That all Acts and parts of Acts inconsistent with this Act are hereby repealed.

Approved the twenty-eighth day of February, A. D. 1896.

No. 136.

No. 165. AN ACT to Amend Sections 1 and 2 of an Act Entitled "An Act to Reduce the Number of and to Provide for Salaries of the Trial Justices and Constables for Richland County," Approved December 18th, A. D. 1894.

Section 1. Be it enacted by the General Assembly of the State of South Carolina, That Section 1 of an Act entitled "An Act to reduce the number of and provide for salaries of the Trial Justices and Constables of Richland County," approved December 18th, 1894, be, and the same is hereby, amended by striking out all after the word "each" on the 13th line of said Section and inserting the following in lieu thereof: "One at Eastover, to receive a salary of one hundred and twenty dollars; one at Camp Ground, to receive a salary of sixty dollars; one at Hopkins, to receive a salary of ninety dollars; one at Davis, to receive a salary of sixty dollars; one at Killian, to receive a salary of sixty dollars; one at Garners, to receive a salary of sixty dollars; one at Gadsden, to receive a salary of sixty dollars;" and in Section 2 of said Act by striking out all after the word "each" on the 8th line of said Section and inserting in lieu thereof "the Constable at Eastover, ninety dollars; the Constable at Camp Ground, sixty dollars; the Constable at Hopkins, ninety dollars; the Constable at Davis, sixty dollars; the Constable at Killian, sixty dollars; the Constable at Garners, sixty dollars; the Constable at Gadsden, sixty dollars: Provided, That said Constables shall be entitled, in addi-

tion to their salaries, to mileage five cents per mile each way for carrying persons to jail under commitment." So that said Sections as amended shall read:

A. D. 1896.

"Section 1. That on the expiration of the terms of office of the present Trial Justices and their Constables in Richland County the Governor is authorized, by and with the advice and consent of the Senate, to appoint nine Trial Justices for the County of Richland, to be located as is hereinafter provided and mentioned, which Trial Justices shall receive as compensation for their services in criminal cases and on inquests when acting as Coroner, in lieu of all costs and fees, annual salaries as follows: Two Trial Justices at Columbia, to receive a salary of eight hundred dollars each; one at Eastover, to receive a salary of one hundred and twenty dollars; one at Camp Ground, to receive a salary of sixty dollars; one at Hopkins, to receive a salary of ninety dollars; one at Davis, to receive a salary of sixty dollars; one at Killian, to receive a salary of sixty dollars; one at Garners, to receive a salary of sixty dollars; one at Gadsden, to receive a salary of sixty dollars.

Trial Justices
in Richland
County; num-
ber and salaries
of.

"Section 2. That each of said Trial Justices be authorized to appoint a person to act as Constable in serving and executing process issued by him, who shall give the bond and take the oath required by law. The Constables so appointed shall receive as compensation for their services in criminal cases, and in lieu of all costs and fees therefor, annual salaries as follows: The Constables at Columbia, three hundred dollars each; the Constable at Eastover, ninety dollars; the Constable at Camp Ground, sixty dollars; the Constable at Hopkins, ninety dollars; the Constable at Davis, sixty dollars; the Constable at Killian's, sixty dollars; the Constable at Garner's, sixty dollars; the Constable at Gadsden, sixty dollars: Provided, That said Constables shall be entitled in addition to their salaries to mileage five cents per mile each way for carrying persons to jail under commitment."

Authorized to
appoint Constables;
number and salaries of.

Approved the ninth day of March, A. D. 1896.

A. D. 1896.

No. 137.

No. 131. AN ACT to Fix the Salary of the Auditor of Orangeburg County.

Salary of Auditor of Orangeburg County.

Section 1. Be it enacted by the General Assembly of the State of South Carolina, That from and after the passage of this Act the Auditor of Orangeburg County shall receive a salary of seven hundred dollars from the State and three hundred dollars from the County, to be paid as now provided by law.

Section 2. That all Acts or parts of Acts inconsistent with this Act be, and are hereby, repealed.

Approved the ninth day of March, A. D. 1896.

No. 138.

No. 102. AN ACT to Permit Grand Juries of Beaufort County to Employ an Expert Accountant and to Provide Compensation Therefor.

Grand juries of Berkeley County empowered to employ experts.

Section 1. Be it enacted by the General Assembly of the State of South Carolina, That whenever any grand jury of Beaufort County in this State shall deem it expedient to obtain the services of an expert to assist them in the examination of the books and offices of the County officials they are hereby authorized and empowered so to do; and the compensation for said expert shall be at a rate not exceeding of five dollars per day, and not more than 30 days shall be consumed during any year in such examinations.

Account for, how paid.

Section 2. That the County Board of Commissioners of said County shall order the payment of the account of any expert employed by the grand jury upon approval of same by said grand jury and upon an order from the Judge presiding in the Circuit directing the payment.

Approved the ninth day of March, A. D. 1896.

No. 139.

No. 181. AN ACT in Relation to the Collection of Taxes on the Taxable Polls and Property of That Portion of the Late County of Berkeley Now Forming a Part of the Present County of Charleston.

Section 1. Be it enacted by the General Assembly of the State of South Carolina, The Auditor of Berkeley County is hereby required to copy and make up from his duplicate

of the fiscal year 1894-95, immediately upon the approval of this Act, under the direction of the Comptroller-General, a special duplicate of and for all that portion of the late County of Berkeley now forming a part of the present County of Charleston under the Act entitled "An Act to establish a new judicial and election district from a portion of Charleston County, to be known as the County of Berkeley," &c., approved 31st January, 1882, as amended by Acts of 1893, 1894 or 1895 and 1896. Immediately upon the copying and making up of such special duplicate by the Auditor of Berkeley County, as aforesaid, he shall deliver the same to the Auditor of Charleston County, who shall immediately thereupon make up therefrom, according to the forms now required by law, a special duplicate for the Treasurer of Charleston County, leaving off the special annual tax, not to exceed one and one-half mills per dollar of assessed value, for the purpose of defraying the expenses incident to the relocation and rebuilding of the County seat of Berkeley County, and levying and charging only the regular tax for Berkeley County levied by the Supply Act of 1894 for the fiscal year 1894-95; and immediately thereupon the Treasurer of Charleston County shall proceed to advertise and collect, as required by law, all the taxes (including poll taxes) appearing thereon, excepting such as may have been paid to the Treasurer of Berkeley County. The Treasurer of Berkeley County shall, in the annual settlement for the fiscal year 1894-95, be credited by the Auditor of Berkeley County with the amount of all the aforesaid taxes. The Auditors of Berkeley and Charleston Counties shall each receive the sum of one hundred dollars as compensation for the extra duties by this Act imposed on them, to be paid by the Treasurers of said Counties respectively upon the warrants of the Supervisors of said Counties respectively in proportion to the amount to be received by the respective Counties.

Section 2. Upon collection of said taxes by the Treasurer of Charleston County, as aforesaid, an adjustment shall be made by the Auditors of Berkeley and Charleston Counties, under the direction and supervision of the Comptroller-General, of the respective claims of said two Counties against each other as to all such taxes, excepting school taxes, collected and received by the Treasurers of both said

A. D. 1896.

Duty imposed on Auditor of Berkeley County to make up certain duplicate for collection of taxes.

Such taxes collected by Treasurer of Charleston County to be paid to part of Berkeley County.

A. D. 1896.

Counties, and the Treasurer of Charleston County shall pay to the Treasurer of Berkeley County what by such adjustment Berkeley County may be entitled to; and the Treasurer of Berkeley County shall pay to the Treasurer of Charleston County what by such adjustment Charleston County may be entitled to.

Treasurer
of Berkeley
County to pay
Treasurer of
Charleston cer-
tain funds.

Section 3. The Treasurer of Berkeley County be, and he is hereby, required and directed to transfer and pay over forthwith to the Treasurer of Charleston County any and all public school funds and taxes now in the hands of him, the said Treasurer of Berkeley County, heretofore levied by the Auditor of Berkeley County on the taxable polls and property of the above mentioned portion of the late County of Berkeley, now forming a part of the present County of Charleston, and heretofore collected by him, the said Treasurer of Berkeley County, as well as all unexpended balances of such public school funds and taxes now in the hands of him, the said Treasurer of Berkeley County, and carried forward from previous fiscal years to the credit of the school districts of the above mentioned portion of the late County of Berkeley, now forming a part of the present County of Charleston, and also to transfer and pay over from time to time to the Treasurer of Charleston County any and all such school funds and taxes hereinbefore levied by the Auditor of Berkeley County as aforesaid and which may hereafter be collected by him, the said Treasurer of Berkeley County, as soon as collected: Provided, In any case any school district of the late County of Berkeley has been dismembered or divided by the recent changes of the said Counties the Treasurer of Berkeley County shall transfer and pay over to the Treasurer of Charleston County such pro rata portion of any and all public school funds and taxes and unexpended balances thereof heretofore collected and which may hereafter be collected by him, the said Treasurer of Berkeley County, as the Comptroller-General and State Superintendent of Education may decide to be just and equitable.

For what pur-
poses such taxes
to be used.

Section 4. Any and all such funds and taxes transferred and paid over by the Treasurer of Berkeley County to the Treasurer of Charleston County, as well as the taxes to be collected by the Treasurer of Charleston, as aforesaid, shall be devoted to and used for the respective purposes of the

above mentioned portion of the late County of Berkeley, now forming a part of the present County of Charleston, exclusively, and no purposes whatsoever of any other portion of the present County of Charleston; and funds and taxes of the late County of Charleston shall be devoted to and used for the respective purposes of the late County of Charleston exclusively, and no purposes whatsoever of any other portion of the present County of Charleston.

Approved the ninth day of March, A. D. 1896.

A. D. 1896.

No. 140.

AN ACT to Provide for the Poor in Charleston County.

No. 175.

Section 1. Be it enacted by the General Assembly of the State of South Carolina, That it shall be the duty of the Boards of Township Commissioners in Charleston County outside the city of Charleston to examine into all cases of indigent poverty which may be brought to their attention in their respective townships, and in such cases as appear to be metitorious to furnish to such poor persons, with the approval of the County Board of Commissioners, food and clothing or both: Provided, They shall not furnish to any one person food and clothing to a greater value than two dollars in any one month.

Poor of
Charleston
County to be
provided for.

Section 2. That the County Supervisor and County Board of Commissioners audit and pay the orders issued under the foregoing Section in the same manner as other claims against the County.

Claims for
now paid.

Approved the ninth day of March, A. D. 1896.

No. 141.

AN ACT to Amend an Act Entitled "An Act to Amend an Act Relating to the Compensation and Duties of Certain of the County Officers in and for the County and City of Charleston, and to Provide for the Payment of Witnesses for the State in the Court of General Sessions," Approved December 18th, A. D. 1891, so as to Provide for the Compensation of Witnesses Outside of the City of Charleston.

No. 182.

Section 1. Be it enacted by the General Assembly of the State of South Carolina, That an "Act to amend an Act entitled 'An Act to amend an Act relating to the compensa-

Act amended.

A. D. 1896.

**Compensation
of witnesses.**

tion and duties of certain of the County officers in and for the County and city of Charleston and to provide for the payment of witnesses for the State in the Court of General Sessions,' " approved December 18th, A. D. 1891, is hereby amended by striking out all after the words "Section 2" in said Act and inserting in lieu thereof the following: "Witnesses in the Court of General Sessions for the County of Charleston and within five miles of the court house who may reside outside of the corporate limits of the city of Charleston, and who both may be required to attend and may actually attend the said Court, shall be allowed such fees and mileage as may be provided by law for such witnesses in other Counties.

Approved the ninth day of March, A. D. 1896.

No. 142.

- No. 145. AN ACT to Amend Sections 8 and 4 of an Act Entitled "An Act Relating to the Compensation and Duties of Certain of the County Officers in and for the County and City of Charleston," Approved December 22d, 1886, and Embraced in Section 770 of the Revised Statutes 1893, Vol. 1, in Reference to Trial Justices in Charleston County Acting as Coroner.

Act amended.

Section 1. Be it enacted by the General Assembly of the State of South Carolina, That Sections 3 and 4 of an Act entitled "An Act relating to the compensation and duties of certain of the County officers in and for the County and city of Charleston," approved December 22nd, 1886, and embraced in Section 770 of the Revised Statutes 1893, Vol. 1, be, and the same is hereby, amended so that Section 770, embracing Sections 3 and 4 of said Act as amended, shall read:

Certain Magistrates in Charleston County may hold inquests.

Section 770. All the Magistrates residing outside of the limits of the city of Charleston, and appointed for the County of Charleston outside of the city limits, shall, in the absence of the Coroner, hold such inquests as may be necessary and do such other business as pertains to the office of Coroner in cases arising within his vicinity. In all such cases the said Magistrate shall receive for such services, beside their salaries as Magistrate, the sum of fifty dollars per annum, if so much be necessary.

Approved the ninth day of March, A. D. 1896.

No. 143.

A. D. 1896.

AN ACT to Extend the Operation of Section 286 of the Criminal Statutes, Vol. II of the Revised Statutes, so That the Provisions Thereof Shall Apply to Certain Parts of Charleston County. No. 177.

Section 1. Be it enacted by the General Assembly of the State of South Carolina, That the operation of Section 286 of the Criminal Statutes, Vol. II of the Revised Statutes, be, and the same is hereby, extended so that the provisions thereof shall apply to that territory which was taken from Berkeley County and incorporated in Charleston County by an Act entitled "An Act to establish a new judicial and election district from a portion of Charleston County, to be known as the County of Berkeley, to ascertain and define the boundaries of said Counties and to provide for and fix the salaries of the County officers thereof," so as to change the boundary lines between Charleston and Berkeley Counties, and to provide for charges incident thereto, approved the 20th day of December, A. D. 1893. And the County Board of Commissioners shall have authority to employ an officer whose duty it shall be to report all cases of violation of said Act and to assist in the prosecution of persons violating the same, and said Board may fix the compensation of said officer at not more than one hundred and fifty dollars.

Section 286 C.
S., Vol. II,
amended; pro-
visions extend-
ed to Charle-
ston County.

Approved the ninth day of March, A. D. 1896.

No. 144.

AN ACT to Repeal Section 1 of an Act Entitled "An Act to Amend Section 1 of an Act Entitled 'An Act to Provide for the Payment of Salaries to the Sheriff and Clerk of the Court of Common Pleas and General Sessions and the School Commissioner of Kershaw County,' Approved December 24th, 1891," Approved December 24th, A. D. 1894. No. 170.

Section 1. Be it enacted by the General Assembly of the State of South Carolina, That Section 1 of an Act entitled "An Act to amend Section 1 of an Act entitled 'An Act to provide for the payment of salaries to the Sheriff and Clerk of the Court of Common Pleas and General Sessions and the School Commissioner of Kershaw County,' approved De-

Section 1 of
Act repealed.

A. D. 1896.

cember 24th, 1891," approved December 24th, A. D. 1894, be, and the same is hereby, repealed and the salary of the Sheriff of Kershaw County is hereby re-established at the salary as fixed in an Act entitled "An Act to provide for the payment of salaries to the Sheriff and Clerk of the Court of Common Pleas and General Sessions and the School Commissioner of Kershaw County," approved December 24th, 1891.

Approved the ninth day of March, A. D. 1896.

No. 145.

No. 86. AN ACT to Authorize the Purchase of a Home for the Poor in Hampton County and to Provide a Commission for the Same.

Home for the
poor of Hamp-
ton County to be
purchased.

Section 1. Be it enacted by the General Assembly of the State of South Carolina, That the County Board of Commissioners of Hampton County be, and it is hereby, authorized and directed to borrow the sum of two thousand dollars, to be repaid in two annual installments out of the tax levies for County purposes for the years 1897 and 1898; said sum to be used exclusively for the purchase of a home for the poor of Hampton County and the erection of buildings for the same.

Commission to
purchase.

Section 2. That said Board shall turn over said sum when so borrowed to W. H. Mauldin, John T. Morrison and William Stokes, who are hereby declared and constituted a Commission to purchase, within two miles of the court house of Hampton County, a tract of land and erect suitable buildings thereon not to exceed in cost \$2,000, and when said buildings are completed said Commission shall turn over said home for the poor to the County Board of Commissioners.

For what to
be used.

Section 3. That said home for the poor shall be used exclusively for the support and maintenance of the indigent poor of said County.

Section 4. That this Act shall take effect from and after its approval.

Approved the ninth day of March, A. D. 1896.

No. 146.

A. D. 1896.

No. 88.

AN ACT to Amend an Act Entitled "An Act to Amend an Act Entitled 'An Act to Establish a New Judicial and Election District from a Portion of Charleston County, to be Known as the County of Berkeley, to Ascertain and Define the Boundaries of Said Counties, and to Provide for and Fix the Salaries of the County Officers Thereof,' so as to Change the Boundary Lines Between Charleston and Berkeley Counties, and to Provide for Relocating the County Seat of Berkeley County and to Provide for Changes Incident Thereto," so as to Fix and Ascertain the Boundary Lines Between the Said Counties and to Provide for a Survey.

Section 1. Be it enacted by the General Assembly of the State of South Carolina, That Section 2 of a former Act as appearing in Section 1 of an Act entitled "An Act to amend an Act entitled 'An Act to establish a new judicial and election district from a portion of Charleston County to be known as the County of Berkeley, to ascertain and define the boundaries of said Counties, and to provide for and fix the salaries of the County officers thereof,' so as to change the boundary line between Charleston and Berkeley Counties, and to provide for relocating the County seat of Berkeley County and to provide for changes incident thereto," approved December 20th, 1893, be, and the same is hereby, amended by inserting between the words "St. Dennis" and the words "St. James Goose Creek" the words "and parts of," and striking out the words "and parts of" between the words "St. James Goose Creek" and the words "St. James Santee" near the end of said Section. So that said Section when amended shall read as follows:

Act amended.

Section 2. The boundaries of the said County of Berkeley shall be as follows: Eastwardly, Northeastwardly and North by the Santee River, separating it from the Counties of Georgetown, Williamsburg and Clarendon; North also by Orangeburg County; West and Northwestwardly by Colleton County; South and Southwestwardly by Charleston County and Colleton County; and the said County of Berkeley shall include within its limits the whole of the subdivision formerly known as the Parishes of St. John's Berkeley, St. Stephen's, St. Thomas and St. Dennis, and parts of the subdivisions formerly known as St. James Goose Creek, St. James Santee, and St. Andrews."

Boundaries of
Berkeley County.

Section 2. That that part of Section 1 of said Act which re-enacts Section 3 of the former Act be amended by strik-

A. D. 1896.

Other amend-
ments as to
boundaries.

ing out the words "thence by a direct line to the Western bank of Cooper River" and insert in lieu thereof "thence Eastward by a direct line to the mouth of Goose Creek on the Western bank of Cooper River," so that said Section 3 of former Act when amended shall read as follows: Section 3. That the boundaries of the County of Charleston shall be within the following lines: Beginning at the mouth of the South Edisto River where it empties into the Atlantic Ocean, and following up said river to the Dawho River; thence by the Dawho River to its intersection with the North Edisto River; thence by the Wadmalaw River and New Cut to Stono River; and thence up Stono River to Rantowle's Creek; thence up Rantowle's Creek to its intersection with the Colleton County line; thence along said line to the Eastern bank of Ashley River; thence down said river to the line of Colleton County, on said bank; thence Eastward by a direct line to the mouth of Goose Creek on the Western bank of Cooper River; thence Southwardly along the Western bank of Cooper River to the Parish of St. Philip's; thence down the Cooper River to the mouth of Wando River; thence up said Wando River to Guerin's Creek; thence up Guerin's Creek to Guerin's Bridge; thence by way of the Halfway Creek road across Halfway Creek to Thompson road and through Thompson road to the centre of Wambo Swamp; thence through the centre of said swamp to the head of Wambo Creek, and through said creek to South Santee River; thence down the South Santee River to the ocean to the line of the jurisdiction of the State; thence Southwardly along the line of the jurisdiction of the State to a point opposite the mouth of South Edisto River; thence in a straight line to the beginning at the mouth of South Edisto River.

Boundary
lines, how laid
off.

Section 3. That said Act be further amended by adding after Section 1, to wit: After Section 3 of a former Act as re-enacted in Section 1 a new Section to be known as Section 1a, which shall read as follows: Section 1a. And the County Supervisors and County Boards of Commissioners of the said Counties respectively be, and they are hereby, authorized and directed, if there is doubt or uncertainty as to the said boundary lines or any part thereof, to employ one or more surveyors, but not exceeding three, to lay off

and define the same; and each of said Counties are required to pay one-half of the expenses of the said survey out of their current funds.

A. D. 1896.

Approved the ninth day of March, A. D. 1896.

No. 147.

AN ACT to Amend an Act Entitled "An Act to Incorporate the Evangelical Lutheran Charities Society of Charleston, S. C.," Approved December 24th, 1892.

No. 5.

Section 1. Be it enacted by the General Assembly of the State of South Carolina, That Section 1 of an Act entitled "An Act to incorporate the Evangelical Lutheran Charities Society of Charleston, S. C.," approved December 24th, 1892, be, and said Section 1 is hereby, amended so as to read as follows:

Act amended.

Section 1. That Rev. Edward T. Horn, D. D., pastor of the Lutheran Church of German Protestants known as St. John's Evangelical Lutheran Church of Charleston, S. C.; Rev. L. Muller, D. D., and Rev. W. A. C. Muller, pastors of the German Evangelical Lutheran Church of Charleston commonly known as St. Matthew's German Lutheran Church of Charleston; Rev. B. C. Holland, D. D., pastor of the Wentworth Street Lutheran Church, Charleston; Rev. A. Freyschmidt, pastor of the Deutsche Evangelische Lutheranische Sanet Johannes Kirche of Charleston, South Carolina, commonly known as Saint Johannes German Lutheran Church of Charleston, and their successors in the pastoral office, and their associates as hereinafter provided, are hereby made and created a body politic and corporate under the name and style of the "Evangelical Lutheran Charities Societies of Charleston, S. C.," for the purpose of carrying on works of Christian charity in connection with the "Evangelical Lutheran Church" and for the purpose of executing such charitable trusts as may be confided to them by gift, devise, bequest or otherwise.

Evangelical
Lutheran Char-
ities Society of
Charleston, in-
corporated.

Section 2. That Section 2 of said Act of incorporation be amended so that said Section 2 as amended shall read as follows:

A. D. 1896.
 Of whom to
 consist.

Section 2. That the said Evangelical Lutheran Charities Society of Charleston, S. C., shall consist of the pastors of the churches named in the first Section of this Act and their successors as such, and not more than two lay members, from each of the congregations of said churches, to be elected by each congregation respectively, who shall continue as such until their successors have been elected and shall have qualified: Provided, Each congregation shall have equal representation. That said lay members shall be residents in the city of Charleston, and shall be chosen annually, and shall serve without compensation: Provided, That if one or more of the congregations fail for a whole year to elect representatives in this society the society shall have authority to elect members in their place. That said Evangelical Lutheran Charities Society of Charleston, S. C., shall by its said name have perpetual succession of officers and members, the right to use and keep a common seal, and the same to alter at will, to sue and be sued, to plead and be impleaded, and to have and enjoy all and every right and privilege, power and franchise incident and belonging to incorporate bodies. They shall also have full power and authority from time to time to make, constitute and establish such by-laws, rules and regulations as to them shall seem proper and necessary for the better conduct, government and direction of themselves as a Board of Trustees, and also of the charitable institutions under their control: Provided always, nevertheless, That the same be not inconsistent with the laws of the land.

Powers of.

Section 3. That Section 3 of said Act of incorporation be amended so that said Section 3 as amended shall read as follows:

Section 3. That the said Evangelical Lutheran Charities Society of Charleston, S. C., is hereby authorized and empowered to receive and hold donations, devises, bequests and legacies, and to hold real and personal estate to the amount of one million dollars, for the use and benefit of such charities as they may undertake in the city of Charleston, S. C., or as may be entrusted to them. And as a necessary right incident to holding said real and personal property, full and ample power and authority is hereby given to said society to alien, convey or mortgage

any or all of the property, either real or personal, or both, which the said society may hereafter acquire by gift, devise, bequest, purchase or otherwise.

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Section 4. That Section 4 of said Act of incorporation be amended so that said Section 4 as amended shall read as follows:

Section 4. That whereas, C. W. Franke, deceased, by his last will and testament, did constitute the pastors named in Section 1 of this Act Trustees to receive and transfer to such society or corporation hereafter to be incorporated by an Act of the Legislature of South Carolina the residue of his estate at the death of his wife (after the payment of certain legacies specified in his will) for the purpose of establishing and maintaining in the city of Charleston a hospital and home to be called the Jacob Washington Franke Lutheran Hospital and Home, that the said Trustees are hereby authorized and empowered to assign, transfer and convey the said residuum to the said Evangelical Lutheran Charities Society of Charleston, S. C., which is hereby authorized and empowered to receive the said conveyance and to execute this trust in strict accordance with the last will and testament of said C. W. Franke, if the said Trustees shall elect to transfer it to the society hereby incorporated.

Trustees of C. W. Franke to transfer certain property.

Section 5. That all Acts and parts of Acts inconsistent with the provisions of this Act are hereby repealed; that this Act shall be deemed a public Act and shall take effect immediately upon its approval.

Repealing clause.

Approved the seventh day of February, A. D. 1896.

No. 148.

AN ACT Granting Charter of Incorporation to the Indianola Manufacturing and Water Power Company.

No. 11.

Section 1. Be it enacted by the General Assembly of the State of South Carolina, That William A. Courtenay and Frances J. Pelzer of Charleston, S. C., John R. London and A. E. Hutchinson of Rock Hill, S. C., and their associates and successors, be, and they are hereby, made and created

Indianola Manufacturing and Power Company incorporated.

A. D. 1896.

a body politic and corporate, and under the name and style of the Indianola Manufacturing and Power Company, with its principal office at Rock Hill, S. C.

Rights and powers of.

Section 2. That the said Indianola Manufacturing and Power Company shall have all the rights, powers and privileges, and shall be subject to all of the obligations, restrictions and limitations, set forth in the Act of the General Assembly of the State of South Carolina entitled "An Act to incorporate the Indianola Manufacturing and Power Company," approved December 14, 1892, and in the Act amending the said Act approved December 20, 1893.

Section 3. That said corporation shall be subject to the provisions of Article 1 of the Constitution of the State of South Carolina.

Approved the thirteenth day of February, A. D. 1896.

No. 149.

No. 18.

AN ACT to Incorporate Converse College.

Preamble.

Whereas the stockholders of the Converse College Company propose, for the better establishment and enlargement of the institution now being run by said company in the city of Spartanburg, known as Converse College, to surrender and donate all of the stock that they severally hold in said company to the college itself; and whereas the donations to the amount of over \$100,000 (one hundred thousand dollars) so proposed are to be made on condition that a new corporation, to be known as "Converse College," shall be incorporated by Act of the Legislature and shall undertake to continue the operation of said institution in perpetuity; therefore,

Converse College incorporated.

Section 1. Be it enacted by the General Assembly of the State of South Carolina, That D. Edgar Converse, John B. Cleveland, Joseph Walker, John H. Montgomery, David R. Duncan, Newton F. Walker, William S. Manning, Wilbur E. Burnett, Albert H. Twichell, John Earle Bomar, H. Arthur Ligon and Benjamin F. Wilson of the city of Spartanburg, in the State of South Carolina, and their successors in office, be, and they are hereby, created and constituted a

body politic and corporate, under the name and style of "Converse College," and as such corporation and by the said name of "Converse College" shall have the right to contract and be contracted with, to sue and be sued, to acquire, hold and dispose of, in any manner whatsoever, any and all kinds of property and to lease or mortgage the same; to have and use a common seal, to make such by-laws, rules and regulations as may be thought proper, and generally to have all such rights, powers and privileges as are usually incident to corporations of like nature and as may not be repugnant to the Constitution and laws of this State and of the United States.

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Section 2. That the said corporation shall have, and it is hereby given, the power to maintain and operate at the city of Spartanburg, in the State of South Carolina, a high grade college for the liberal education of women, or of both men and women, if it shall be deemed expedient, and for these purposes shall be authorized to do all such acts and make all such contracts as may be proper or necessary.

Powers to maintain a college.

Section 3. That all the power given said corporation shall be, and they are hereby, lodged in a Board of twelve Trustees, consisting of the persons named in Section 1 of this Act, and such other persons, men or women, as may from time to time be substituted for them or any of them; and the said Trustees and their successors in office shall at all times have the right to remove any of the said Trustees for any cause that may seem to a majority of the whole Board of said college to be sufficient, and to fill by election any and all vacancies on the Board; and shall have power further, if in their judgment it is at any time proper to do so, to increase the number of said Trustees by the election of additional members: Provided, That said Board shall never consist of more than twenty-five members: And provided, further, That not more than one-third of the members of the said Board and not more than half the members of the Faculty of instruction shall ever at one time be members of the same religious denomination. The said Trustees, by their by-laws, may fix the terms for which they and their successors shall hold office, respectively, and may arrange so that said terms shall not all expire at the same time.

Board of Trustees.

Section 4. That there shall be no capital stock of said corporation, and all gifts, grants and donations that have

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No capital
stock; property
held by corpora-
tion; may re-
ceive gifts, &c.

heretofore been or that may be hereafter made to the same shall, if accepted, be held by said corporation under and in accordance with the terms of such gifts, grants or donations: Provided, That if the said corporation should at any time permanently or designedly cease to maintain and operate at Spartanburg, S. C., an institution for the education of women, or of men and women, or should the said college at any time become a denominational institution by a majority of the Board of Trustees or of the Faculty of instruction in said college being elected permanently or designedly from any one religious denomination, or should the said property at any time be owned or controlled by any one religious denomination, or should the name of said college be ever changed from the name "Converse College," or the site of the same be removed from the city of Spartanburg, then and in those events, or in any or either of them, all such gifts, grants and donations shall revert to the original donors or their heirs or assigns.

Power to con-
fer degrees.

Section 5. That the said corporation shall have power and authority to confer and award all such distinctions, honors and degrees as are usually conferred or awarded by any of the colleges or universities in the United States.

Public Act.

Section 6. That this Act shall be deemed and taken to be a public Act, and shall continue of force from and after its approval.

Approved the twenty-fifth day of February, A. D. 1896.

No. 150.

No. 22. AN ACT to Validate and Confirm Certain Acts of the Spartanburg and Rutherfordton Railroad Company, and the Subscription of the City of Spartanburg to the Capital Stock Thereof, and to Authorize Bonds of Said City to be Issued in Payment of Said Subscription.

Preamble.

Whereas, an election was held in the city of Spartanburg and State of South Carolina on the 16th day of November, 1882, under and by virtue of authority of an Act of the Legislature of South Carolina, upon the question of subscription or no subscription by said city of the sum of twenty-five thousand dollars to the capital stock of the Spartanburg

and Rutherfordton Railroad Company, and at such election a majority of the qualified electors of said city voted in favor of such subscription, and the same was thereupon duly made, but the bonds to be issued in payment of said subscription have never been issued; and whereas it is proper and necessary now that the said subscription so made should be validated and confirmed, and provision be made for issuing city bonds in payment thereof. And whereas by an ordinance of the Constitutional Convention adopted on the 20th day of November, 1895, authority was given to the General Assembly to validate said subscription and to authorize the issue of bonds of the city of Spartanburg to said railroad company in payment of said subscriptions; now, therefore,

A. D. 1896.

Section 1. Be it enacted by the General Assembly of the State of South Carolina, That the election heretofore held in the city of Spartanburg upon the question of the subscription by the said city of the sum of twenty-five thousand dollars to the capital stock of the Spartanburg and Rutherfordton Railroad Company is hereby declared to have been legally held, and the subscription then made by said city to the capital stock of said railroad company be, and the same is hereby, validated and confirmed and declared to be a binding subscription by said city, and the proper officers of said city are hereby authorized and required to issue bonds in payment of said subscription, to do and perform all other acts as may be further necessary or proper to carry out or give effect to the said subscription.

Election on question of subscription by Spartanburg to Spartanburg and Rutherfordton Railroad Company validated.

Section 2. That the present organization of the said Spartanburg and Rutherfordton Railroad Company be, and the same is hereby, validated and confirmed, and declared to be a legal organization of said company, and said company is hereby declared to have all the rights, powers and privileges, and be subject to all the obligations and liabilities, fixed and imposed by the Constitution and general laws of this State, and the Acts incorporating said company, approved the 7th day of June, 1877, and Acts amendatory thereof.

Organization of company validated.

Approved the twenty-fifth day of February, A. D. 1896.

A. D. 1896.

No. 151.

- No. 23. AN ACT to Amend Section 7 of an Act Entitled "An Act to Incorporate the Spartanburg and Rutherford Railroad," Approved 8th June, 1877.

Section 1. Be it enacted by the General Assembly of the State of South Carolina, That Section 7 of an Act entitled

Act amended. "An Act to incorporate the Spartanburg and Rutherford Railroad," approved 8th June, 1877, be amended by striking out the words "one hundred," on line two, and inserting in lieu thereof the word "fifty," and by adding after the word "bed," on line three of said Section, the following: "Provided, Said road bed shall not be within fifty feet of any public highway." So that when amended said Section shall read as follows: Section 7. Said company may have the

Road bed. right to take for construction and maintenance of said road fifty feet on each side of said road bed: Provided, Said road bed shall not be within fifty feet of any public highway, may use and enjoy undisturbed possession of the same for transportation of freights and passengers, charging reasonably for the same.

Approved the twenty-fifth day of February, A. D. 1896.

No. 152.

- No. 37. AN ACT to Revoke the Charter of the Town of Delmar, in Edgefield County, Now Saluda County.

Section 1. Be it enacted by the General Assembly of the State of South Carolina, That an Act entitled "An Act to incorporate the town of Delmar, in Edgefield County," approved December 24th, A. D. 1894, be, and the same is hereby, repealed, and the charter therein granted revoked.

Charter of Delmar revoked.

Section 2. That this Act shall take effect from and immediately after its approval.

Approved the twenty-fifth day of February, A. D. 1896.

No. 153.

A. D. 1896.

AN ACT to Incorporate the "Epworth Orphanage of the South Carolina Conference" (of the Methodist Episcopal Church, South,) and to Prescribe the Powers and Duties of the Board of Managers and Trustees Thereof.

No. 55.

Epworth Orphanage incorporated.

Section 1. Be it enacted by the General Assembly of the State of South Carolina, That A. J. Stokes, T. G. Herbert, J. S. Beasley, M. M. Brabham, J. F. Anderson, W. H. Hodges, T. C. O'Dell, W. W. Daniel, R. L. Coleman, L. D. Childs, R. S. Hill, C. A. Wood, W. J. Murray, H. C. Strauss and A. C. Dibble, now acting as a Board of Managers and Trustees appointed under the authority of the South Carolina Conference of the Methodist Episcopal Church, South, and their successors in office, be, and they hereby are, created a body politic and corporate under the name and style of the "Epworth Orphanage of the South Carolina Conference" (of the Methodist Episcopal Church, South,) and by that name may sue and be sued, plead and be impleaded, in any Court of law or equity; may have a common seal, and alter the same at pleasure; shall have perpetual succession; may receive, hold, use and enjoy, for the purpose hereinafter expressed, by gift, devise, purchase, or otherwise, all manner of estate, real, personal, or mixed, to an amount not exceeding five hundred thousand dollars, and the same to alienate, sell, transfer, lease and convey, by order of the Board of Managers and Trustees; and do all other acts and things that may be hereafter expressed in this charter, not repugnant to the Constitution and laws of this State or of the United States.

Object of the corporation.

Section 2. The object of this corporation shall be to procure the control of orphans and destitute children of Methodist parents, and of such other destitute and helpless children as the Board of Managers and Trustees may think proper to receive, for the purpose of supporting and educating them in an institution to be prepared and provided for that purpose by the said Board of Managers and Trustees, or, when deemed best in any case, to secure any such child a home and education outside of said institution, as more fully hereinafter expressed.

Section 3. That said South Carolina Conference of the Methodist Episcopal Church, South, may, before or after the final passage hereof, elect a Board of Managers and Trustees.

Board of Managers and Trustees.

A. D. 1896.

Powers of to
receive children
and control of.

tees to succeed the Managers and Trustees above named, and may prescribe the number and tenure of office of such Managers and Trustees, and may prescribe such rules and regulations for the government of said Orphanage as it may deem advisable: Provided, The same be not inconsistent with the laws of this State or of the United States; and any action of said Conference herein authorized, before the final passage of this Act, is hereby ratified and confirmed.

Section 4. That the said corporation shall, in the discretion of the Board of Managers and Trustees, have power to receive into its custody and control such children as are referred to in the second Section of this Act whenever such child has been, or may be, committed to its custody by the person having the rightful custody and control thereof, or when such child may, in good faith, be committed to its custody and control by any two good citizens of this State, with the approval of the County Board of Commissioners of the County where the child is found, because such child is found by them to be without home and protection and moral and religious training: Provided, The costs attending the proceedings shall be allowed by the County Board of Commissioners and paid out of the County funds. Said corporation, for the purpose of protection of the person and rights of any child committed to its care, is hereby invested with all the rights and powers of a parent or natural guardian, with the right to the exclusive custody of the same until the age of eighteen years if a girl, and twenty-one years if a boy, unless disposed of sooner, as provided by this charter, or by the regulations adopted for the government of said Orphanage as herein authorized; and should any such child so committed to its care become unmanageable or incorrigible, he or she may be discharged by said Managers and Trustees from Orphanage.

Powers to
bind out chil-
dren in its cus-
tody; provisions
for.

Section 5. That said corporation may, through its Executive Committee on recommendation of the Superintendent, in the manner prescribed by its by-laws, permit any suitable person to adopt any child in its custody and control as his or her own child; and said corporation may, through its Executive Committee on recommendation of the Superintendent, in the manner prescribed by its by-laws, bind out to any suitable person any child in its custody and control as an apprentice. The adoption herein provided for shall be

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by written instrument, executed by said corporation, by its Executive Committee on the one part and the party adopting the child upon the other, and shall be executed and proven as deeds are required to be, and may be recorded in the office of the Register of Mesne Conveyances for Richland County. It shall contain all suitable covenants for the care, education and nurture of such child; and when such instrument shall be so executed and recorded, such child shall, if expressly so stipulated therein, be considered as the child of such person so adopting him or her, and be as capable of inheriting as though he or she were the lawful child of said person; and said person shall have the same parental control, and be under the same responsibilities, as if the child so adopted were his or her own child; but such adoption shall not debar such child of any right of inheritance to which he or she would have otherwise been entitled: Provided, That so long as said child may be an infant said corporation may, for a violation of any of the covenants in said instrument, reclaim said child by a writ of habeas corpus, or by surrender if the party adopting is willing so to do; and in the event of such reclamation said instrument and act of adoption shall thenceforth be and become null and void. Such apprenticeship shall be effected in like manner, and may contain any suitable covenants, including a covenant that such child shall not be treated as a servant, but shall be only to a person sui juris, and the wife of such person need not unite. Besides the remedies granted by law upon such articles said corporation may have like remedy as above prescribed upon articles of adoption with like effect. Such apprenticeship shall expire at twenty-one years of age when the apprentice is a boy, and eighteen years of age where she is a girl, or sooner if the articles so prescribe. A child may be adopted by both husband and wife in the same instrument. Instruments of adoption and apprenticeship shall be conclusive evidence of the power of said corporation to so dispose of said child as between said corporation or said child and its real or personal representative and the person so adopting it or receiving it as an apprentice and his or her real and personal representatives.

Section 6. That the property, money and estate and rights of said corporation shall be exempt from all taxation by State or local laws for any purpose whatever.

Property of
exempt from
taxation.

A. D. 1896.

May adopt by-laws.

Section 7. That the Board of Managers and Trustees shall have power to adopt such by-laws for the regulation of the affairs of the corporation as may be authorized by the said "South Carolina Conference of the Methodist Episcopal Church, South," and to procure or have erected and constructed such buildings and improvements, and to appoint and employ such officers, superintendents, teachers and other persons, and to do such other things as are necessary and proper to accomplish the objects contemplated by this charter not inconsistent with the laws of this State or of the United States.

Approved the twenty-eighth day of February, A. D. 1896.

No. 154.

No. 63. AN ACT to Extend the Right and Privileges of the Cape Fear and Cincinnati Railway Company and to Change the Name Thereof.

Extension of the rights of the Cape Fear and Cincinnati Railway Company.

Section 1. Be it enacted by the General Assembly of the State of South Carolina, That the Cape Fear and Cincinnati Railway Company, a corporation under the laws of this State, of which G. H. McMaster, of Winnsboro, is President and J. C. Caldwell, Secretary and Treasurer, in addition to the power already conferred on said company by the Act of incorporation and its various amendments, shall in addition have the power and authority to build, construct and equip its line of road to the limits of the State toward upper Georgia, either through Greenville County or Anderson County, as the Directors may determine, crossing intervening Counties, and from near Camden to the North Carolina line in the direction of South Port, North Carolina, crossing intervening Counties.

Change of name

Section 2. That the name of the Cape Fear and Cincinnati Railway Company is hereby changed to that of the South Port and Western Railroad Company, and hereafter said railroad company shall be known as the South Port and Western Railroad Company, and by that name shall be entitled to all the rights, powers and privileges and subject to all the duties, liabilities and restrictions of the Cape Fear

and Cincinnati Railway Company: Provided, The change of name shall not affect in any way the liabilities of said company.

A. D. 1896.

Approved the twenty-eighth day of February, A. D. 1896.

No. 155.

AN ACT to Incorporate the Brookland Street Railway Company. No. 103.

Section 1. Be it enacted by the General Assembly of the State of South Carolina, That G. A. Guignard, J. N. Long, M. H. Witt, A. D. Shull, E. W. Shull, John T. Sloan and B. L. Abney, and all other persons who may become associated with them, be, and they are hereby, declared a body politic and corporate under the name and style of "The Brookland Street Railway Company."

Brookland
Street Railway
incorporated.

Section 2. That the said company shall have power to make such by-laws for the government of the same as shall be deemed necessary and expedient by a majority of the stockholders, not repugnant to the laws of the land; to elect such officers as said by-laws may prescribe; to have succession of officers and members; to have a common seal, and to alter and make new the same; to purchase, hold and sell real and personal estate for the purposes of its business, and sue and be sued, plead and be impleaded, answer and be answered unto, in all the Courts in this State.

May make by-
laws; to pur-
chase, sell and
hold property,
&c.

Section 3. That the capital stock of said company shall be twenty-five thousand dollars, in two hundred and fifty shares of one hundred dollars each, for the purposes contemplated, and may increase the same to the further sum of one hundred thousand dollars if deemed necessary by a majority of the stockholders.

Capital stock.

Section 4. That the said company shall have power to construct single or double railway tracks, of such gauge as they may elect, through any street or streets of the town of Brookland, with the consent of the Town Council of said town, and to extend the same to any point or points within a distance of three miles of said town. And the said com-

Power to con-
struct rail way
tracks.

A. D. 1896.

pany is authorized and empowered to contract for and provide electric motor power, or any other power, for the purposes of said company.

Power to operate cars.

Section 5. That said company shall have power to operate their cars in the transportation of passengers and freight over the tracks they may construct with electric or other power in suitable and sufficient cars and carriages at such rates as may be fixed in the by-laws of the company.

Power to issue bonds.

Section 6. That the said company shall have power and authority to issue coupon bonds, the same to be redeemable at such time as may be agreed upon by such company, and to bear interest at a rate not exceeding seven per centum per annum, payable semi-annually; and for the purpose of securing said bonds so issued shall have power to mortgage its property and franchises.

Approved the ninth day of March, A. D. 1896.

No. 156.

No. 116. AN ACT to Incorporate the Roman Catholic Church of St. Joseph, in Charleston, South Carolina.

Roman Catholic Church of St. Joseph, in Charleston, incorporated.

Section 1. Be it enacted by the General Assembly of the State of South Carolina, Whereas the General Assembly by a two-thirds vote of each house on a Concurrent Resolution did allow a Bill to be introduced to incorporate the Roman Catholic Church of St. Joseph in Charleston, South Carolina, the Rev. J. J. Wedenfeller, Rector of St. Joseph Church, his successors in office, and Joseph Dothage, Hugh Ferguson, B. Callaghan, John Hartnett, P. Broderick, D. O'Neill, P. Carter, H. Schachte, M. Caulfield, P. Galvin, P. Murphy, the present Vestry of St. Joseph's Church, of Charleston, South Carolina, and their successors in office duly appointed or elected, be, and are hereby declared to be, a body politic and corporate, under the name and style of "Saint Joseph's Church," to promote the public and private celebration and divine worship according to the forms and doctrines of the Roman Catholic Church, and by said name shall have perpetual succession of the officers and members,

and a common seal, with power to change, alter, break and make new the same as often as said corporation shall deem expedient.

A. D. 1896.

Section 2. That the said corporation by said corporate name shall be able and capable in law to purchase, have, hold, secure, enjoy, possess and retain to itself, in perpetuity or for any term of years, any lands or tenements of any nature whatsoever, and any money or other personal property of any nature whatsoever: Provided, Such real and personal property shall not in the aggregate exceed in value the sum of two hundred thousand dollars, and to sell, mortgage, lease and alien the same as said corporation shall see fit; and by said corporate name to sue and to be sued, plead and be impleaded, answer and be answered unto, in any and all the Courts in South Carolina and in the United States; and to make such rules and by-laws as are not repugnant to the laws of the land, as said corporation deem proper for the order, good government and management of its business and affairs.

Powers of, to own property, &c.

Section 3. That it shall and may be lawful for said corporation to take, receive, have and hold, to it and its successors' use, any bequest, legacy, donation or devise of money, land or other real or personal estate, and the same to use for the purpose of said corporation as a majority of the members thereof determine: Provided, The aggregate of the property, real and personal, held under this and the preceding Section shall not exceed in value the sum of two hundred thousand dollars.

Powers to receive and hold gifts.

Section 4. That this Act shall not be deemed or taken as intended to alter or change the status of the Roman Catholic Church of St. Joseph, in Charleston, South Carolina, nor to affect the title of any real or personal estate now held by any person or persons in the name of or for the use or benefit of said church.

Certain rights not affected.

Section 5. That this Act shall be deemed a public Act and continue in force until repealed.

Public Act.

Approved the ninth day of March, A. D. 1896.

A. D. 1896.

No. 157.

No. 117. AN ACT to Incorporate the Metropolitan Street Railway Company.

Metropolit a n
Street Railway,
incorporated.

Section 1. Be it enacted by the General Assembly of the State of South Carolina, That G. Walter McIver, Henry S. Holmes and William C. Miller, of the city of Charleston, and their associates, be, and they are hereby, created a body politic and corporate by the name and style of the Metropolitan Street Railway Company, and by that name may sue and be sued, plead and be impleaded, in any Court in this State or in the United States, and shall be capable in law of purchasing, leasing, holding, letting, improving and disposing of such real and personal property as may be necessary for the object of this corporation; and may receive and make all deeds, transfers, covenants, conveyances, grants, contracts, agreements and bargains whatsoever necessary for said purposes; and may have and use a common seal, and may renew or alter the same at pleasure; and may also make such by-laws for the government of said corporation as are consistent with this Act and the laws and Constitution of this State and the United States, and generally may do every act or thing necessary to carry into effect the provisions of this Act and promote the objects and designs of said company as authorized by this Act.

Power to build
railways.

Section 2. That the said company shall have power and authority, by and with the consent of the City Council of Charleston, to lay and build railway tracks through and along any street in the said city of Charleston and also through and along any highway leading into said city for a distance not exceeding five miles from the corporate limits of said city, and to use, employ and operate thereon cars or carriages, to be run in whole or in part by animal power, gas, steam or electricity, with the necessary appliances and implements, or by any other motive power, for the transportation of passengers and freight, upon such reasonable rates as may be fixed by the said company: Provided, That steam shall not be used as a locomotive power within the corporate limits of the city of Charleston: Provided, That they do not in any way interfere with the tracks or running of cars of other companies now incorporated and operating under any laws in said city, except in crossing said tracks.

Section 3. That the said company shall have power to manufacture, produce, generate and supply light, power or heat through the means of electricity, not only for the purposes of said railway, but for sale to the general public.

A. D. 1894.
Power to manufacture light, power or heat by electricity.

Section 4. That said company shall have power to lease, sub-lease or purchase other railways, and to use and operate the same by means of any of the locomotive powers named above, subject only to the restriction with respect to steam, and shall also have power to manufacture, buy, sell and lease railway and street cars or carriages, locomotives, storage batteries, dynamos, generators and all other kinds of gas, steam and electrical apparatus and supplies.

Power to lease or purchase other railways.

Section 5. That the capital stock of said company shall be two hundred thousand dollars, divided into shares of one hundred dollars each, and the company shall have power to increase said capital stock in such amounts as the said company, from time to time, may by vote of a majority of its stockholders determine as necessary to accomplish the purpose of its organization: Provided, That the said capital stock shall at no time exceed the sum of two million dollars.

Capital stock.

Section 6. That when the sum of five thousand dollars shall have been subscribed to the capital stock of said company, the said corporators, or a majority of them, shall, within a reasonable time thereafter, appoint a time and place for a meeting of the subscribers, at which time and place the subscribers may proceed to the organization of said company by the election of not less than three nor more than nine Directors, as the by-laws to be adopted may determine, which said Directors shall elect one of their number to be President of said company, and shall also elect such other officers as may be designated by the by-laws. The said Board of Directors and the President so elected shall hold office for one year or until their successors be elected; and the said company is further empowered to commence to build said railway and lay said tracks, and to do all other acts hereby authorized, as soon as fifty per cent. of the capital stock shall have been subscribed.

Organization, when and how effected.

Section 7. That the said company is hereby authorized and empowered to issue bonds and preferred stock to such an amount, and on such terms and conditions, and for such uses and purposes of said company, as a majority of the

Power to issue bonds.

A. D. 1896.

stockholders thereof shall deem necessary or expedient for the interest of said company, and as security for said bonds to mortgage any or all of its property or franchises.

Section 8. That this Act shall remain in force for twenty years, and thereafter until repealed.

Approved the ninth day of March, A. D. 1896.

No. 158.

No. 118. AN ACT to Extend the Charter of "The Board of Directors of the Theological Seminary of the Synod of South Carolina and Georgia," to Change the Name of the Incorporated Body and Better Define and Limit the Powers Thereof.

Charter extended and name of corporation changed.

Section 1. Be it enacted by the General Assembly of the State of South Carolina, That the charter heretofore granted in the name of "The Board of Directors of the Theological Seminary of the Synod of South Carolina and Georgia" be, and the same is hereby, renewed and extended in the name of "The Board of Directors of the Theological Seminary of the Synod of South Carolina, Georgia, Alabama and Florida of the Presbyterian Church in the United States," with all the powers, privileges and conditions granted and conferred upon said corporate body by the Act chartering the same and the past Acts amending the same.

Corporation under control of Synod.

Section 2. This corporation is under the direction and control of the Synod of South Carolina, Georgia, Alabama and Florida, of the Presbyterian Church in the United States, through Directors to be chosen by said Synods in such way, manner and number as they may agree upon and determine, and under such agreement and plan of government as the said associated Synods shall adopt for said Theological Seminary.

Powers of.

Section 3. This corporation is empowered to retain, hold, possess and enjoy all such property rights and effects as are now held and possessed in the name of the Board of Directors of the Theological Seminary of the Synod of South Carolina and Georgia or which may be hereafter given, bequeathed or devised to it, or in any manner lawfully acquired, and it is empowered and directed to sell, alien, convey and transfer the same or any part thereof, in the man-

agement, control, conduct and support of said Theological Seminary, according to such by-laws, constitution and plan of government as have heretofore been or may hereafter be prescribed by said associated Synod.

A. D. 1896.

Section 4. That the charter of the said corporation in the name as hereby amended, with such powers as are hereby confirmed and conferred, be, and is hereby, extended for a period of fifty years from the approval of this Act.

Term of incorporation.

Section 5. That all Acts or parts of Acts in conflict with this Act are hereby repealed.

Repealing clause.

Approved the ninth day of March, A. D. 1896.

No. 159.

AN ACT to Amend Section 3 of an Act Entitled "An Act to Incorporate the Georgetown and North Carolina Narrow Gauge Railroad Company, Now Known as the Ohio River and Charleston Railway Company," Approved March 4th, 1878.

No. 124.

Section 1. Be it enacted by the General Assembly of the State of South Carolina, That Section 3 of an Act entitled "An Act to incorporate the Georgetown and North Carolina Narrow Gauge Railroad Company, now known as the Ohio River and Charleston Railway Company," approved March 4th, 1878, be, and the same is hereby, amended by adding the following words at the end of said Section: "and that said company now known as the Ohio River and Charleston Railway Company are hereby authorized and empowered to build a branch line of its railway from its main line at Blacksburg in the County of York, through the Counties of Union and Spartanburg, to the city of Spartanburg, and thence through the County of Greenville to the Georgia line, should said railway company deem it advisable so to do: Provided, That the said Ohio River and Charleston Railway Company shall begin the work of the construction of said line within one year from the date of the passage of this Act and complete the same within five years from said date." So that said Section as amended shall read:

Act amended.

Section 3. That said company may also own, lease or charter such wharves, steamers, vessels or other water craft as may be necessary to conduct a general freighting and pas-

Company may own certain property, and build a branch line.

A. D. 1896.

senger business, and may also run such branches from its main track to the distance of twenty miles, either wooden or iron rails, in such directions as it may deem proper, and that the said company now known as the Ohio River and Charleston Railway Company are hereby authorized and empowered to build a branch line of its railway from its main line at Blacksburg, in the County of York, through the Counties of Union and Spartanburg to the city of Spartanburg, and thence through the County of Greenville to the Georgia line, should said railway company deem it advisable so to do: Provided, That the said Ohio River and Charleston Railway Company shall begin the work of the construction of said line within one year from the date of the passage of this Act and complete the same within five years from said date."

Approved the ninth day of March, A. D. 1896.

No. 160.

No. 137. AN ACT to Amend Section 2 of an Act Entitled "An Act Granting Charter of Incorporation to the Indianola Manufacturing and Water Power Company," Approved February —, A. D. 1896, so as to Further Restrict and Limit the Powers and Privileges of Said Company.

Section 1. Be it enacted by the General Assembly of the State of South Carolina, That Section 2 of an Act entitled **Act amended.** "An Act granting charter of incorporation to the Indianola Manufacturing and Water Power Company," approved February —, A. D. 1896, be, and said Section 2 is hereby, amended as follows, to wit: By adding at the end of said Section 2 the following exception and proviso: "Except the rights, powers and privileges contained in Sections 2, 5, 10 and 11 of said Act approved December 14, 1892, which last named Sections, 5, 10 and 11 are hereby repealed: And provided, That the said Indianola Manufacturing and Power Company shall within five years from the approval of this Act expend the sum of not less than twenty-five thousand dollars in carrying out the purposes of the corporation." So that said Section 2 when so amended shall read as follows:

"Section 2. That the said Indianola Manufacturing and Power Company shall have all the rights, powers and privileges and shall be subject to all of the obligations, restrictions and limitations set forth in the Act of the General Assembly of the State of South Carolina entitled 'An Act to incorporate the Indianola Manufacturing and Power Company,' approved December 14, 1892, and in the Act amending the said Act, approved December 30, 1893, except the rights, powers and privileges contained in Sections 10 and 11 of said Act approved December 14, 1892, which last named Sections 10 and 11 are hereby repealed: And provided, That the said Indianola Manufacturing and Power Company shall within two years from the approval of this Act expend the sum of not less than fifty thousand dollars in carrying out the purposes of the corporation."

A. D. 1896.
Rights and
powers of.

"Section 7. That the said Indianola Power Company, in addition to the rights, powers and liabilities hereinbefore imposed, shall have all the powers, rights and privileges conferred on corporations by the general corporation laws of this State."

Additional
rights.

Approved the ninth day of March, A. D. 1896.

No. 161.

AN ACT to Incorporate the Savannah Terminal Railway Company. No. 149.

Section 1. Be it enacted by the General Assembly of the State of South Carolina, That the formation of a corporate company is hereby authorized for the construction and operation of a railroad from such point on the State of South Carolina's boundary line on the Savannah River in Beaufort or Hampton County as the company may determine upon, through the Counties of Hampton and Beaufort, both or either of them, to some point at or near Colleton Neck, in Beaufort County, as may hereafter be determined upon by said company; and that the said company shall have all the rights, powers and privileges, and be subject to all liabilities, provisions and limitations, set forth in the general railroad law of the State of South Carolina in the General Statutes of the said State.

Incorporation
of Savannah
Terminal Rail-
way Company.
authorized.

A. D. 1896.

Name of; capital stock.

Section 2. That the name of the said company shall be "The Savannah Terminal Railroad Company"; that the capital stock of said company shall be the sum of one hundred thousand dollars in shares of one hundred dollars each, with the privilege of increasing such capital stock in such amounts as the said company from time to time may, by a majority vote of its stockholders, determine upon in order to carry out the purposes of this Act: Provided, That the capital stock shall at no time exceed the sum of five thousand dollars.

Incorporators.

Section 3. That this charter, with its rights and privileges incident thereto, is hereby granted to John K. Garnett, W. J. Gooding, Jr., Thomas Martin, C. J. C. Hutson, M. B. McSweeney, C. A. Shearson and DeWitt Bruce, and such other persons and corporators as may be associated with them, and their successors and assigns. When the sum of ten thousand dollars shall have been subscribed to the capital stock of said company, the said corporators, or a majority of them, shall within a reasonable time thereafter appoint a time and place for a meeting of said stockholders, of which fifteen days' notice shall be given in such newspapers of this State as they deem necessary, at which time and place the said stockholders may proceed to the organization of said company by the election of not less than three nor more than thirteen Directors, as the by-laws to be adopted may determine, which said Directors shall elect one of their number to be President of the said company. The said Board of Directors and the President so elected shall hold their offices for one year and until their successors be elected.

Right of way for.

Section 4. That said railroad company may have the right to take for the right of way one hundred feet on each side of the centre of their road bed: Provided, The same be condemned according to existing laws.

Right to build steamships, &c.

Section 5. The said company is also authorized and empowered to build, purchase, own, hold, use, sell or otherwise dispose of steamships, steamboats and sailing vessels in connection with its railroad transportation so as to carry on the business of a general through coastwise and foreign transportation to and from any point of its lines and connections; and with the consent of the riparian owners to erect,

maintain and use landings and wharves on any of the navigable waters of the State.

A. D. 1896.

Section 6. That this Act shall be held and deemed a public Act, and the rights, powers, privileges conferred by this Act shall vest and continue in said company and its successors for and during the term of sixty years, to be computed from the time of the approval of this Act: Provided, That work be commenced upon said road in three years, and that said road be completed within five years from the passage of this Act, and in case of failure in either particular this charter shall be null and void.

Public Act.

Approved the ninth day of March, A. D. 1896.

No. 162.

AN ACT to Repeal an Act Entitled "An Act to Incorporate Certain Religious and Charitable Societies and Societies for the Advancement of Education, and to Renew and Amend the Charters of Others Already Granted," Ratified 20th December, 1856.

No. 153.

Section 1. Be it enacted by the General Assembly of the State of South Carolina, That Section IX, relating to Flat Rock Church, in Anderson County, of an Act entitled "An Act to incorporate certain religious and charitable societies and societies for the advancement of education of education, and to renew and amend the charters of others already granted," ratified 20th December, A. D. 1856, be, and the same is hereby, repealed.

Approved the ninth day of March, A. D. 1896.

No. 163.

AN ACT to Amend an Act Entitled "An Act to Amend an Act to Amend an Act Entitled 'An Act to Charter the Chesterfield and Lancaster Railroad Company, Approved December 24th, 1887,' Approved December 24th, 1889, in Relation to the Time and Manner of the Delivery of Bonds Subscribed and to be Subscribed to the Capital Stock of Said Company," Approved December 22d, 1891.

No. 154.

Section 1. Be it enacted by the General Assembly of the State of South Carolina, That an Act entitled "An Act to

A. D. 1896.

Act amended.

amend an Act entitled 'An Act to charter the Chesterfield and Lancaster Railroad Company, approved December 24th, 1887,' approved December 24th, 1889, in relation to the time and manner of the delivery of bonds subscribed and to be subscribed to the capital stock of said company," approved December 22nd, A. D. 1891, be, and the same is hereby, amended by striking out all after the words "so that Section shall read as follows" and inserting in lieu thereof the following:

Subscriptions,
how made.

Section 11. In case the majority of the ballots cast shall have written or printed thereon "Subscription," then the Chairman of the Board of County Commissioners, in all cases of County elections, shall be authorized and required to subscribe to the capital stock of said company in behalf of said County the sum which may have been fixed and named in the resolution of said Board, published as aforesaid, which subscription shall be made in six per cent. coupon bonds, as aforesaid, with interest thereon payable annually; and if a majority of the ballots cast in any city or town election shall be for subscription, the proper corporate authorities of such city or town are authorized and required to subscribe in behalf of such city or town in like manner and to the like extent as the County Commissioners are required herein in cases of County subscription: Provided, however, That the bonds representing the subscription of any County, city or town shall be issued and placed in escrow in such bank or trust company as the County Commissioners or city or town authorities issuing the same may select, the said bonds to be held in trust by such bank or trust company, and to be delivered by such bank or trust company to the corporate authorities of the said Chesterfield and Lancaster Railroad Company, as herein provided. Whenever the said railroad company shall have built and railed in first class style one mile of said railroad from the town of Cheraw in the direction of the town of Chesterfield, then said bank or trust company shall deliver to said railroad company one thirty-fifth (1-35) of all the bonds heretofore subscribed or hereafter to be subscribed by Chesterfield County, and a like amount shall be delivered to said railroad company by such bank or trust company upon the completion of each and every mile of said railroad constructed in said County, as hereinbefore provided: Provided,

however, That if at an election hereinafter authorized and required to be held in said County a majority of the ballots cast in said election shall be in favor of authorizing the County Commissioners of said County to issue twenty-five thousand dollars of said bonds to said railroad company, then the said bank or trust company shall deliver to said railroad company one (1-12) twelfth of said amount of twenty-five thousand dollars in bonds upon the completion of each and every mile of said railroad from the town of Cheraw to the town of Chesterfield: Provided, That not more than twenty-five thousand dollars in bonds shall be delivered under this Act to said railroad company by such bank or trust company for the completion of said railroad between the said towns, and the last twelfth of said amount of bonds shall not be delivered until said railroad shall be completed to the town of Chesterfield. And the County Commissioners of said County are hereby authorized and required to order an election in said County, which election shall be held as soon as practicable after three weeks' public notice shall have been given in one or more newspapers published in said County, at which election the question shall be submitted to the qualified electors of said County: "Shall the County Commissioners of Chesterfield County issue one-half of the amount of the bonds of said County heretofore subscribed to the Chesterfield and Lancaster Railroad to said company for the construction of said railroad from the town of Cheraw to the town of Chesterfield?" and if in said election a majority of the ballots cast shall be in the affirmative, then said bank or trust company shall deliver to said railroad company said amount of twenty-five thousand dollars in bonds, as hereinbefore provided. The County Commissioners shall appoint three discreet electors as Managers of Election for each polling place in said County, and the said Managers shall canvass the vote for their respective precincts and make return of the same and deliver the boxes containing the ballots to the County Commissioners, who are hereby authorized and required to canvass the returns and declare the result, according to the provisions of the laws of this State of force at the time of the holding of said election. For the purpose of this Act, the County Supervisor, together with the other members of the County Board of Commissioners, shall have all the pow-

A. D. 1896.

Election on
question of.

A. D. 1896.

How coupon
bonds may be
exchanged for
stock.

ers and duties devolved upon them as the former Chairman and other members of the County Board of Commissioners.

Provided, further, That the said bank or trust company shall before such delivery detach and destroy all interest coupons then past due, said bonds to be delivered in exchange for stock of said company at par as aforesaid: Provided, further, That in case of the subscription of bonds to the capital stock of said railroad company by any other County, or by any town or city under the provisions of this Act, the foregoing provisions in this Section as to the delivery of bonds subscribed and to be subscribed by Chesterfield County shall apply and be observed, with the qualification that when a section of five miles of said railroad shall have been fully built and railed as aforesaid within such other County so subscribing, that then such proportion of the whole of the bonds subscribed by such County as five miles bears to the whole number of miles to be traversed by said railroad in such County shall be delivered and matured interest coupons detached as aforesaid, as in Chesterfield County; and that when said railroad shall have been fully built and railed as aforesaid up to any such city or town so subscribing as aforesaid, that then the whole of the bonds subscribed by such city or town shall be delivered with coupons for past due interest detached, as aforesaid, as in the case of the subscription by Chesterfield County aforesaid.

Approved the ninth day of March, A. D. 1896.

No. 164.

No. 161. AN ACT to Incorporate the Farmers Mutual Insurance Company of Union, South Carolina.

Section 1. Be it enacted by the General Assembly of the State of South Carolina, That F. L. Hanes, R. W. Harris, J. M. Greer, Joseph Sanders and George Munro, and all other persons who shall be hereafter associated with them and become members of the corporation, be, and are hereby, constituted a body politic under the name of the Mutual Insurance Company of Union, South Carolina, and under

Farmers
Mutual Insur-
ance Company
of Union, S. C.,
incorporated.

that name shall have all the powers, privileges and franchises incident to such corporations under the laws of this State.

A. D. 1890.

Section 2. That the corporation shall have the right to mutually insure the places of business, dwelling houses, barns and other buildings of its members in Union County, or elsewhere in this State, such insurance to be against loss by fire, wind or lightning, upon such terms and conditions as may be fixed by the by-laws of said corporation.

May insure houses.

Section 3. That said corporation shall also have the right to insure the lives of such persons as may be members of it in such sums and manner as it may deem advisable and as may be determined by its by-laws. The said insurance to be paid by assessments, the amount whereof shall be determined by the said by-laws upon the members who shall be such at the time of the death of the party insured.

May insure lives.

Section 4. That the said corporation may make by-laws, fix the number of its Board of Directors and officers, and define the powers and duties of such officers and Directors and fix the compensation therefor; they shall also make such rules and regulations to govern the said corporation and the conduct of its business as may not be inconsistent with the laws of this State.

May make by-laws.

Section 5. That every member of the said corporation shall be bound and held to pay his or her portion of all losses and expenses happening or accruing to said corporation; but no member thereof shall be liable for any greater part of such losses and expenses than shall be his proportionate part thereof when such loss and expense is divided out among the members of such corporation liable to assessment thereof according to the by-laws and rules of said corporation. Nor shall any member of such corporation be liable for any losses or expenses incurred through or incident to the insurance upon the lives of the members thereof unless by his or her policy of insurance he or she may have become liable for assessments for this purpose; and those liable for assessments for losses or expenses incident to such life insurance shall only be liable for such assessments as may be made against them according to the by-laws and rules of said corporation when such losses and expenses be divided ratably amongst all members liable to assessment for this purpose according to the rules and by-laws.

Liability of members.

A. D. 1896.

Buildings insured to be pledged for payment of assessments.

Section 6. That all buildings or other property insured by and with said corporation, together with the rights, titles and interests of the assured to the lands on which such buildings or other property may stand, shall be pledged to said corporation to secure the payment by the party insured of the assessments and premiums to which they are liable under their contract of insurance and the by-laws and rules of said corporation; and the said corporation shall have a lien thereon against the assured, his or her heirs, representatives and assigns, during the continuance of their insurance, as to all assessments and premiums for which the assured may be liable according to the said rules and by-laws.

Liability of property insured for assessments.

Section 7. All property insured by said corporation shall be liable in the manner herein provided until all assessments and premiums for which the assured shall have been liable, according to the by-laws and rules of the corporation, shall have been paid, and until the owners thereof shall have withdrawn his insurance in the manner prescribed by the by-laws of said corporation: Provided, however, That any transfer of such property shall operate as a release of the same, under the provisions of this Act, from all liability and assessments made subsequent to the said transfer, unless the purchasers thereof shall make application to the Board of Directors for a continuance of said insurance within ten days from the date of such transfer, in which event such purchaser or purchasers may be substituted, at the option of the said corporation, to all the rights of vendor under this Act; and the said property shall be held liable as herein provided, and the provisions of this Section shall apply as well to personal representatives and guardians as to purchasers of such property: Provided, further, That any transfer of such property shall operate as a release to the said corporation from any contract of insurance made by it unless such transfer shall have been assented to by the said corporation and the said insurance continued: And provided, also, That any insurance shall be deemed discharged by the death of the assured unless said corporation shall thereafter assent to the continuance of such insurance in the name of the personal representatives, heirs or devisees of the assured.

Section 8. That the said corporation may sue and be sued in any Court in this State, and may have and use a common seal.

A. D. 1896.

Seal of.

Section 9. That this Act shall be deemed a public Act, and shall go into effect immediately after its approval, and shall continue in force for a period of thirty years..

Public Act.

Approved the ninth day of March, A. D. 1896.

No. 165.

AN ACT to Amend an Act Entitled "An Act to Amend and Extend the Charter of the Carolina Midland Railway Company, Formed by the Consolidation of the Blackville, Alston and Newberry Railway Company and the Barnwell Railway Company," Approved December 23rd, 1891.

No. 162.

Section 1. Be it enacted by the General Assembly of the State of South Carolina, That Section 2 of an Act entitled "An Act to amend and extend the charter of the Carolina Midland Railway Company, formed by the consolidation of the Blackville, Alston and Newberry Railroad Company and the Barnwell Railway Company," approved December, 1891, be, and the same is hereby, amended by striking out the proviso at the end of said Section. So that said Section when amended shall read as follows:

Act amended.

Section 2. That the said Carolina Midland Railway Company be, and it is hereby, authorized and empowered to operate and maintain its present railroad, extending from the town of Allendale, in the County of Barnwell, by or through the town of Blackwell, in Barnwell County, to the town of Sievern, in Aiken County. That the said company, in addition to the right to construct, maintain and operate a railroad along the routes now prescribed by the respective charters of the Barnwell Railway Company and the Blackville, Alston and Newberry Railroad Company, shall further have the right to construct, maintain and operate a railroad from the said town of Sievern, along the most practicable route, to be selected by the said company, to the town of Greenwood, in Abbeville County, or some point in its vicinity, and from the town of Barnwell to the Savannah River, and from the town of Barnwell to tide water, by such

Carolina Mid-
land Railway
Co. may extend
its road.

A. D. 1896.

route as the said corporation may select, and with the right to construct, maintain and operate all turnouts, side tracks and branch roads as the said corporation shall deem necessary.

Approved the ninth day of March, A. D. 1896.

No. 166.

- No. 6. AN ACT to Authorize and Provide for the Erection of a New County Jail for the County of Spartanburg and for the Sale of the Present Jail Property of Said County.

New County jail for Spartanburg County. Section 1. Be it enacted by the General Assembly of the State of South Carolina, That the County Board of Commissioners of Spartanburg County and their successors be, and they are hereby, authorized and required to cause to be erected and equipped, in the city of Spartanburg, upon the County property therein situate, in the rear of the court house, a new County jail, at a total cost not exceeding twenty-five thousand dollars.

Tax levied for. Section 2. That there shall be levied and collected upon all the taxable property of said County an annual tax sufficient to pay off, in not exceeding five installments, the whole cost of the erection of said jail, such annual levies to begin with the year 1896, and the succeeding annual levies not to extend beyond 1900. The said County Board of Commissioners and their successors are hereby authorized to borrow sufficient funds for the erection of said jail, the same, with interest thereon, to be repaid out of the tax so to be collected, or out of the proceeds of sale of the present jail property, either or both.

Old jail and lot to be sold.

Section 3. That after the new jail, herein provided for, has been erected, and is ready to be occupied, the said County Board of Commissioners and their successors are hereby authorized to sell, either at public or private sale, and on such terms as to them may seem proper, the present County jail of said County, and the lot on which the same is erected, known as the County jail property, belonging to said County, and to make in the name of said County good and sufficient conveyance thereof, and that all the proceeds

of such sale be applied towards the payment of the cost of erection of said new jail, or of the funds, with interest thereon, hereinbefore authorized to be borrowed.

A. D. 1896.

Section 4. That the County Board of Commissioners of said County and their successors are hereby authorized, in the name of said County, to make and execute all such contracts as shall be necessary or proper for the exercise of the powers herein conferred.

Contracts for jail, how and when made.

Approved the seventh day of February, A. D. 1896.

No. 167.

AN ACT to Enable the County Board of Commissioners of Anderson County to Build a New Court House and Jail for Said County, and the County Board of Commissioners of Clarendon and Marlboro Counties Respectively to Build New Jails for Clarendon and Marlboro Counties and to Levy Taxes Therefor.

No. 75.

Section 1. Be it enacted by the General Assembly of the State of South Carolina, That a tax of one mill upon the dollar on all the taxable property in Anderson County, and a tax of 1-4 mill in the Counties of Clarendon and Marlboro, is hereby levied each year for six successive years for the purpose of building a new court house and jail for said County of Anderson, and new jails for said Counties of Clarendon and Marlboro, respectively, which said taxes shall be known respectively as the "court house tax" and the "jail tax," and the funds raised thereby shall be used for the purposes for which the tax is levied and no other.

Tax to build court house and jail in Anderson County and jails in Clarendon and Marlboro.

Section 2. That the County Board of Commissioners shall have the power at any time before said tax is collected to borrow money on the faith of this levy herein provided for, and to pledge the said tax to secure the payment thereof: Provided, That a higher rate of interest than seven per centum per annum shall not be paid.

Tax to be pledged for borrowed money.

Section 3. That the County Board of Commissioners of Anderson County are authorized and empowered, if in their judgment they deem it advisable, to sell the present jail and lot, and to use the proceeds in procuring another, and said Board shall have the option in their judgment to sell the present court house building and use the proceeds in

Commissioners of Anderson County may sell present court house and jail, &c.

A. D. 1896.

the construction of another, and the option, in their judgment, to exchange the present court house site with the city authorities of the city of Anderson for another site, equally valuable, provided such exchange shall be without additional cost to the County. If they decide to sell the jail, jail lot, and court house building, or either, such sale or sales shall be at public outcry to the highest bidder after due advertisement.

Commissioners of Clarendon and Marlboro may sell jails.

Section 4. That the County Board of Commissioners of Clarendon and Marlboro Counties are hereby empowered, if in their judgment it is advisable, to sell the present jail and site and to purchase another lot with the funds arising therefrom. If sold it shall be sold at public outcry to the highest bidder.

Election to be had on question.

Section 5. That before this Act shall take effect the question of the building of a new court house shall be submitted to the qualified voters of the Counties of Anderson, Marlboro and Clarendon by the Commissioners of Election of Anderson, Clarendon and Marlboro Counties at the general election to be held in November, 1896, and if a majority of the voters of the Counties shall vote in favor of the new court house and jail then the taxes herein provided for shall be levied; but should a majority of the voters of the Counties vote against the building of a new court house and jail then this Act shall be null and void. The County Board of Commissioners of said Counties shall prepare a separate box for each voting precinct for said election. Those in Anderson County voting for said new court house and jail shall vote "Court House and Jail—Yes." Those voting against said court house and jail shall vote "Court House and Jail—No." Those voting in the Counties of Clarendon and Marlboro for new jails shall vote "Jail, Yes," and those voting against new jail shall vote "Jail, No": Provided, further, That no levy to raise funds for the erection of such buildings shall be made until it shall be determined by a vote of the people as herein provided.

Portions cut off in new Counties exempt.

Section 6. If at any time before the whole amount of taxes herein authorized to be levied and collected are paid any portion of the County is cut off to form a new County, the territory so cut off shall be exempt from any further tax after said portion is cut off into a new County.

Approved the second day of March, A. D. 1896.

No. 168.

A. D. 1896.

AN ACT to Authorize a Special Election in the Town of Honea Path, in Anderson County, for the Purpose of Determining Whether Said Town Shall Be Allowed to Issue Bonds to the Amount of Eight Thousand Dollars to Build Court House and Jail if New County is Established with County Seat at Honea Path.

No. 65.

Section 1. Be it enacted by the General Assembly of the State of South Carolina, That the Town Council of the town of Honea Path, in the County of Anderson, be, and they are hereby, authorized to hold a special election in said town for the purpose of issuing bonds of said town to the amount of eight thousand dollars to build a court house and jail in said town in the event that a new County is established with the County seat at Honea Path.

Special elec-
tion in Honea
Path authorized

Section 2. That such persons shall be entitled to vote who are qualified to vote under Section 13 of Article 2 of the Constitution of the State; and should a majority of the legal voters of said town vote in favor of said bond issue, then the said Town Council of the town of Honea Path shall be, and they are, authorized to issue said bonds provided the County seat of any new County be located at Honea Path. Said bonds to be of such denomination and to run for such length of time and to bear such rate of interest, not exceeding seven per cent. per annum, as the said Town Council may prescribe.

Who may vote.

Approved the twenty-eighth day of February, A. D. 1896.

No. 169.

AN ACT to Authorize the Town Council of Greenwood to Issue Bonds to Build a Court House and Jail if Said Town is Made the County Seat of a County.

No. 159.

Section 1. Be it enacted by the General Assembly of the State of South Carolina, The Town Council of Greenwood, in the County of Abbeville, be, and it is hereby, authorized to hold an election in said town, on such day as said Town Council may fix, for the purpose of issuing interest-bearing coupon bonds (interest not over 7 per cent.) of the said town in the sum of thirty-five thousand dollars in denomination

Greenwood
authorised to
vote on question
of issuing bonds

A. D. 1896.

of not less than \$100 nor more than \$500, if so much be necessary, to build a court house and jail in said town, in event a new County is established with the County seat at Greenwood.

Who may vote.

Section 2. That in said election such persons shall vote who are qualified electors under Section 13, Article 2, of the Constitution of this State; and if a majority at said election should vote for the issue of said bonds, then the said Town Council shall, by resolution adopted at a special meeting for such purpose, through the Intendant and Secretary and Treasurer, issue under its corporate seal said bonds to run for twenty years, with the right reserved to the said Council to retire said bonds in such installments as it may determine in said resolution.

When bonds
to be issued.

Section 3. That said bonds shall be issued by said Town Council as aforesaid within sixty days after the County seat of any County shall have been located at Greenwood.

Approved the ninth day of March, A. D. 1896.

No. 170.

No. 100. AN ACT to Amend an Act Entitled "An Act to Authorize and Empower the City Council of the City of Greenville to Issue Coupon Bonds for the Purpose of Refunding the Indebtedness of Said City Falling Due in 1895 Upon Bonds Issued in Aid of the Atlanta and Richmond Air Line Railway Company," Approved December 22nd, A. D. 1894, by Adding Another Section to be Known as Section 2.

Section 1. Be it enacted by the General Assembly of the State of South Carolina, That an Act entitled "An Act to authorize and empower the City Council of the city of Greenville to issue coupon bonds for the purpose of refunding the indebtedness of said city falling due in 1895 upon bonds issued in aid of the Atlanta and Richmond Air Line Railway Company," approved December 22nd, A. D. 1894, be, and the same is hereby, amended by adding thereto another Section, to be known as Section 2, as follows:

City Council
may make levy
to pay bonds.

Section 2. That in order to pay the principal and interest on said bonds when they mature, the City Council of Green-

ville are authorized and required to levy and collect taxes to pay same, said taxes to be levied and collected as other taxes are levied and collected.

A. D. 1896.

Approved the ninth day of March, A. D. 1896.

No. 171.

AN ACT to Authorize and Empower the City Council of Orangeburg to Sell and Dispose of Five Hundred Shares of the Capital Stock of the Manchester and Augusta Railroad Company.

No. 144.

Section 1. Be it enacted by the General Assembly of the State of South Carolina, That the city of Orangeburg, through the City Council of Orangeburg, be, and hereby is, authorized and empowered to sell and dispose of the five hundred shares of the capital stock of the Manchester and Augusta Railroad Company now held and owned by said city of Orangeburg, at the market price thereof, for the benefit of said city and the public institutions and improvements thereof; and for that purpose the said city is hereby authorized and empowered, through the City Council of Orangeburg, to assign, transfer and set over the said five hundred shares of the capital stock of said Manchester and Augusta Railroad Company, under the corporate seal of the said city, to the purchaser or purchasers thereof.

City Council of Orangeburg may dispose of certain shares of stock.

Approved the ninth day of March, A. D. 1896.

No. 172.

AN ACT to Authorize and Empower the City of Laurens to Issue Bonds to the Amount of Three Thousand Five Hundred Dollars for the Purpose of Taking Up Bonds of Said City Which Will Become Due in 1896.

No. 58.

Section 1. Be it enacted by the General Assembly of the State of South Carolina, That the city of Laurens, in said State, is hereby authorized and empowered to issue bonds of said city to the amount of three thousand five hundred dollars for the purpose of paying bonds of said city, hereto-

City of Laurens may issue bonds

A. D. 1896.

fore issued under charter of said city, which will become due in 1896. The said bonds to be of the same denomination as the said bonds to become due, and to bear a rate of interest not greater than seven per cent. per annum and to run for ten years.

Approved the twenty-eighth day of February, A. D. 1896.

No. 173.

- No. 99. AN ACT to Require Any Surplus from the Collection of Taxes in Beaufort County for the Fiscal Year 1892 and 1893 Since January 1, 1896, to be Paid by the Treasurer of Said County to the Sinking Fund Provided for the Payment of Bonds Issued by Beaufort County.

Surplus of
County taxes to
be turned over
to sinking fund
in Beaufort
County.

Section 1. Be it enacted by the General Assembly of the State of South Carolina, That the County Treasurer of Beaufort County is hereby authorized and directed to pay over to the sinking fund provided for the payment and liquidation of the County bonds issued by Beaufort County under an Act entitled "An Act to authorize the sale of certain bonds by Beaufort County, the expenditure of the proceeds thereof, and the redemption and payment of the same," approved December 23, 1893, any surplus arising from the collection of County taxes for the fiscal year 1892 and 1893.

Approved the ninth day of March, A. D. 1896.

No. 174.

- No. 191. AN ACT to Include Lancaster, Chesterfield, Colleton, Darlington, Edgefield, Florence, Horry, Lexington, Marion, Kershaw and Saluda Counties in the Provisions of an Act Entitled "An Act to Authorize the County Supervisor in Each of the Counties of Greenville, Pickens, Orangeburg, Abbeville, Hampton, Berkeley, Anderson, Sumter, Chester, Georgetown and Richland to Borrow Money to Pay Ordinary County Expenses, School Claims and Past Due Claims Against Said Counties, Including Interest on Railroad Bonds in Kershaw County, and to Pledge the Taxes for the Repayment of Said Loan," Approved December 17th, A. D. 1894, and so as to Add a Special Provision as to Marion County.

Section 1. Be it enacted by the General Assembly of the State of South Carolina, That from and after the approval of this Act Lancaster, Chesterfield, Colleton, Darlington, Edgefield, Florence, Horry, Lexington, Marion, Kershaw

and Saluda Counties shall be included within and subject to all the terms and provisions of an Act entitled "An Act to authorize the County Supervisor in each of the Counties of Greenville, Pickens, Orangeburg, Abbeville, Hampton, Berkeley, Anderson, Sumter, Chester, Georgetown and Richland to borrow money to pay ordinary County expenses, school claims and past due claims against said Counties, including interest on railroad bonds in Kershaw County, and to pledge the taxes for the repayment of said loans," approved 17th December, A. D. 1894: Provided, That the Supervisor of Chesterfield County shall not borrow a sum to exceed six thousand dollars in any fiscal year: Provided, That the County Board of Commissioners of Marion County be, and are hereby, authorized and empowered to borrow an amount sufficient to pay jury and witness tickets, and to borrow a sufficient sum of money to pay all past due claims against Marion County and give their notes for same payable in four equal annual installments with interest on the whole payable annually at a rate not to exceed seven per cent. per annum.

A. D. 1896.

Act amended
so as to allow
certain Counties
to borrow
money to pay
County ex-
penses.

Approved the ninth day of March, A. D. 1896.

No. 175.

AN ACT to Require the Treasurer of Lancaster County to Apply Certain Railroad Taxes to the Interest on the Township Bonds of Pleasant Hill and Gill's Creek of Lancaster County Subscribed to the Capital Stock of the Charleston, Cincinnati and Chicago Railroad Company.

No. 56.

Section 1. Be it enacted by the General Assembly of the State of South Carolina, That the County Treasurer of Lancaster County be, and he is hereby, required to apply the taxes which have accumulated in his hands and which hereafter may be received by him from the Charleston and Ohio River Railroad Company, formerly known as the Charleston, Cincinnati and Chicago Railroad Company, to the payment of the interest on any bonds subscribed by the townships of Gill's Creek and Pleasant Hill in said County to the capital stock of the Charleston, Cincinnati and Chicago Railroad Company now outstanding and of force

Treasurer of
Lancaster County
required to
apply certain
taxes; how.

A. D. 1896.

against said townships: Provided, That said taxes shall be applied to said interest in proportion to the amount of such bonds now outstanding and of force against said townships respectively.

Approved the twenty-eighth day of February, A. D. 1896.

No. 176.

No. 176. AN ACT Vesting the Trustees of Rock Hill School District with Power to Issue Bonds for Certain Corporate Purposes and to Assess and Collect Taxes to Pay the Interest on Same.

Trustees of
Rock Hill school
district empow-
ered to issue
bonds.

Section 1. Be it enacted by the General Assembly of the State of South Carolina, That the Trustees of the Rock Hill School District be, and they are hereby, authorized and empowered to issue bonds of said school district in an amount not exceeding five thousand dollars, due in twenty years after date, and bearing interest at a rate not to exceed six per cent. per annum, payable semi-annually, and the coupons for said interest when due shall be receivable in payment of all taxes levied by or due to said school district: Provided, That said bonds shall not be issued until the question has been first submitted to the qualified voters of said school district upon the written petition of a majority of the freehold voters residing therein, and unless a majority of such electors voting on the question shall be in favor of issuing said bonds. The said Trustees shall give at least twenty-one days' notice of the time and place of such election, and for what purpose the money arising from the sale of said bonds shall be expended, and they are authorized to appoint three Managers to conduct said election and declare the result.

Question to be
first submitted
to an election.

Assessment
and collection
of taxes to pay
bonds and in-
terest.

Section 2. The Trustees of the said school district are authorized and required to assess and collect taxes necessary to pay the interest on said bonds as the same become due in each year and until the whole of said bonds shall be paid; said taxes to be levied upon all the taxable property within said school district, and to be collected by the County Treasurer of York County at the same time that he collects State and County taxes, and by him paid over to the Trustees of the said school district.

Section 3. The money arising from the sale or hypothecation of said bonds shall be expended by said Trustees in the purchase or erection of school buildings for said school district, with the necessary grounds and properly equipping the same.

A. D. 1896.

How proceeds of money to be expended.

Section 4. That this Act shall go into effect from the date of its approval.

Approved the second day of March, A. D. 1896.

No. 177.

AN ACT to Authorize and Require the County Boards of Commissioners of Pickens and Oconee Counties to Build a Public Bridge Across the Keowee River at or Near the Mouth of Little River.

No. 19.

Section 1. Be it enacted by the General Assembly of the State of South Carolina, That the County Board of Commissioners of Pickens and of Oconee Counties, respectively, be, and those Boards are hereby, authorized and required to jointly build a public bridge across Keowee River, a boundary stream between the said Counties, at or near the mouth of Little River, each of said Counties to bear half the expense of the same.

Pickens and Oconee Counties to build bridge.

Approved the twenty-fifth day of February, A. D. 1896.

No. 178.

AN ACT to Provide for Building a Public Bridge Over Lynche's Creek.

No. 49.

Section 1. Be it enacted by the General Assembly of the State of South Carolina, That the County Board of Commissioners of the Counties of Florence and Williamsburg be authorized and empowered to pay to the owner or owners of Johnson Ferry over Lynche's Creek and of the franchise thereof the value of said ferry and franchise, to be ascertained in the manner that the value of lands taken by railroad corporations for rights of way under the laws of this State is now ascertained, one-half of said amount to be paid

Florence and Williamsburg Counties to build bridge.

A. D. 1896.

by each of said Counties; and then as soon as a public bridge at the same locality is erected for the use of the people in said Counties, then all and every right to maintain and conduct a ferry at said locality be hereby repealed: Provided, That nothing herein contained shall be so construed to compel the said County Boards of Commissioners to build a public bridge until in their judgment it is necessary.

Section 2. That this Act shall take effect immediately on its approval, and that all Acts or parts of Acts inconsistent with this Act are hereby repealed.

Approved the twenty-fifth day of February, A. D. 1896.

No. 179.

No. 24. AN ACT to Authorize Burroughs and Collins Company to Erect and Maintain Wharves on Waccamaw River at Conway.

Burroughs &
Collins author-
ized to erect
and maintain
certain wharves

Section 1. Be it enacted by the General Assembly of the State of South Carolina, That Burroughs and Collins Company, a corporation organized under general laws of said State, its successors and assigns, be, and is hereby, authorized to maintain on its own land, lying on the Western shore of Waccamaw River at Conway, down to deep water, the two certain wharves owned by it and in use in connection with its warehouses; and also to erect and maintain such other wharves on its land along said river, between the foot of Kingston bridge and "Hamaker Mill Site," a distance of some three hundred yards, as may be necessary for its own convenience and that of the public; and that it have the right to charge, and collect by the usual means, layage, storage and wharfage at the ordinary rate.

Right to rent
wharves.

Section 2. That said company shall have the right to let or rent to any steamboat or railroad company or private individual the aforesaid wharves or any of them, vesting in its lessee or tenant the same rights exercised by it.

Section 3. That the franchise hereby granted shall vest in Burroughs and Collins Company, its successors and assigns, for a period of thirty-one years.

Approved the twenty-fifth day of February, A. D. 1896.

No. 180.

A. D. 1896.

AN ACT to Amend "A Joint Resolution Appointing Special Commissioners and Authorizing and Directing Them to Lay Out and Construct a Public Road from Pendleton, on the Blue Ridge Railroad, to the Clemson Agricultural College," Approved December 24th, A. D. 1890.

No. 119.

Section 1. Be it enacted by the General Assembly of the State of South Carolina, That Section 2 of "A Joint Resolution appointing special Commissioners and authorizing and directing them to lay out and construct a public road from Pendleton, on the Blue Ridge Railroad, to the Clemson Agricultural College," approved December 24th, A. D. 1890, be, and the same is, amended by adding thereto the following proviso: Provided, The County Board of Commissioners of Anderson County shall not be required to keep in repair that portion of road in the town of Pendleton." So that said Section shall read as follows:

Joint Resolution amended.

Section 2. Whenever the said proposed road has been laid out and graded, it shall then become a public highway, and the County Commissioners of the several Counties through which it shall run shall forever afterwards keep it in good condition and repair: Provided, The County Board of Commissioners of Anderson County shall not be required to keep in repair that portion of said road located in the town of Pendleton.

Road to be a public highway.

Approved the ninth day of March, A. D. 1896.

No. 181.

AN ACT to Provide for the Keeping Up the Fences in Certain Territory in Douglass Township in Clarendon County Now Exempt from the General Stock Law.

No. 128.

Section 1. Be it enacted by the General Assembly of the State of South Carolina, That it shall be lawful for any party or persons interested in the building, repairs and maintenance of the boundary fence of that portion of Douglass Township in Clarendon County now exempt from the operation of the General Stock Law, to wit, all that territory bounded on the North by public road leading from R. R. Tomlinson's to Pine Grove and Dial's Bay, and on South

Provisions for keeping up fences in certain portions of Douglass Township in Clarendon County.

A. D. 1896.

and East by Pudding Swamp and Douglass Swamp, to enter upon the adjacent lands of any person or persons whose lands are crossed or included by such fence and to cut sufficient convenient timber, first paying therefor to make rails enough to build or repair said fence, and may build and repair said fence across the lands of such person or persons as may refuse or neglect to so build or repair said fence across his, her or their own lands, from time to time, as the same may be necessary to render said fence lawful and sufficient: Provided, Such owner so refusing shall be compensated for timber so taken and for any damages to the land crossed as follows: Such owner may name a referee and the party or persons so constructing said fence may name a referee and these two referees shall name and call in a third referee, and these three shall assess a sum of money to be paid to such refusing owner in lieu of all timber and damages in the premises, and in default of paying the same such fence shall be forfeited to the said aggrieved party, and the party or persons shall be liable as for entry on lands after notice and for damages, recoverable by the usual process of law; but the decision of said referees shall be final and conclusive if the sum assessed by them be paid or tendered.

Section 3. That all Acts and parts of Acts inconsistent with this Act be, and are hereby, repealed.

Approved the ninth day of March, A. D. 1896.

No. 182.

No. 20. AN ACT to Authorize the County Treasurers and County School Commissioners of the Several Counties to Borrow Money for the Present Fiscal Year to Pay School Claims.

Section 1. Be it enacted by the General Assembly of the State of South Carolina, That the County Treasurers, the County Supervisors and the County School Commissioner of any County in this State, except the Counties of York, Chesterfield, Lancaster, Orangeburg, Georgetown, Kershaw, Sumter, Charleston, Abbeville, Hampton, Chester, Marlboro, Aiken and Edgefield, be, and they are hereby, author-

School Commissioners and Treasurers may borrow money to pay school claims.

ized to borrow from time to time during the present fiscal year such sums of money as may be necessary to pay the school claims of such County, not to exceed eighty-five per cent. of the amount reported by the County Auditor for schools for this fiscal year, at a rate of interest not to exceed seven per cent., and to pledge the taxes to be collected for that purpose for the payment of the money so borrowed and the interest thereon: Provided, That all money borrowed shall be paid out and held by the County Treasurer as school funds and without extra commissions.

Approved the twenty-fifth day of February, A. D. 1896.

A. D. 1896.

No. 183.

AN ACT to Amend an Act Entitled "An Act to Provide for Establishment of a New School District in Darlington County and to Authorize the Issue of Bonds for Said School District and the Levy of a Local Tax Therein," Approved 24th December, 1888.

No. 62.

Section 1. Be it enacted by the General Assembly of the State of South Carolina, That Section 1 of an Act entitled "An Act to provide for establishment of a new school district in Darlington County and to authorize the issue of bonds by said school district and the levy of a local tax therein," approved 24th December, 1888, be further amended so as to read as follows: Section 1. That for the purpose of maintaining public schools in the town of Darlington, the County Board of Examiners for Darlington County be, and they are hereby, authorized and required to establish a separate school district to contain all the territory included in a boundary to the East formed by the run of Black Creek and the part of a circle having its centre at the court house building in the town of Darlington, commencing at a point on Black Creek three miles East or Southeast of said court house and running with a radius of three miles until said line intersects with road leading from Darlington to Ebenezer, then to take along said road until said road is intersected by road leading from said Darlington and Ebenezer road to road leading from Darlington to Timmons ville, the line to run along the intersecting road until it crosses the present school district line, then in all other respects the

Act amended.

New school district in Darlington County.

A. D. 1896.

present line as heretofore established to remain the same.
This Act to take effect immediately upon its passage.

Approved the twenty-eighth day of February, A. D. 1896.

No. 184.

- No. 64. AN ACT to Amend an Act to Provide for the Establishment of a New School District in Abbeville County and to Authorize the Issue of Bonds by Said School District and the Levy of a Local Tax Therein, Approved December 18th, A. D. 1891.

Section 1. Be it enacted by the General Assembly of the State of South Carolina, That an Act entitled "An Act to provide for the establishment of a new school district in Abbeville County and to authorize the issue of bonds by said school district and the levy of a local tax therein," approved December 18th, 1891, be, and the same is hereby, amended by striking out Sections 7, 8, 9, 10 and 11 of said Act and inserting in lieu thereof the following, to wit:

How taxes levied and collected to pay bonds, and how bonds shall be retired.

Section 7. That for the purpose of paying the interest on said bonds and the principal, when due, it shall be the duty of the County Auditor of the County of Abbeville, or such other officer as may be charged with the assessment of taxes, to compute annually the amount necessary to be raised, and to levy the same upon the real and personal property in said school district, and the amount so levied shall be collected by the County Treasurer of the County of Abbeville and held by him for the purpose of paying the said interest or principal, if any be due, and shall be used for no other purpose whatever: Provided, That the amount collected for the purpose of paying the principal of said bonds may be used by the Trustees of said school district for the purpose of buying said bonds, which when so bought shall be forthwith cancelled, together with the coupons thereto attached, except so much of the said coupons as may be sufficient to pay the premium on bonds so purchased; and in case the amount collected is not so used, it shall be invested by the said Trustees in State bonds or other safe interest-bearing securities until a sum sufficient to pay off the whole of said bonds outstanding shall have been collected and so invested. The action of the Trustees

in heretofore buying said school bonds with the fund collected for the payment of the principal of the same when due, and in cancelling the bonds so bought, is hereby declared valid.

A. D. 1896.

Section 8. That for the support of the schools of the said school district, it shall be the duty of the County Auditor to levy annually for five years upon all the property returned for taxation in said school district such tax, in addition to that provided for in the Constitution, as may be recommended by the Board of Trustees, not to exceed four mills in any year, and said tax shall be collected by the County Treasurer at the same time that he collects State and County taxes: Provided, That a majority of the qualified electors of said school district voting shall vote in favor of said tax at an election, to be held under the direction of the said Board of Trustees, on the fourth Tuesday in January, 1897; and an election upon the question of continuing said tax shall be held at the end of each period of five years thereafter: Provided, further, That each taxpayer, when he pays any tax voted under the provisions of this Section, shall have the right to designate to which school in said school district he wishes the money paid by him to go, and the Treasurer shall keep a note of such designation, and the money shall be applied as thus designated. The County Auditor and County Treasurer shall be paid such compensation as the said Trustees think proper for the services required of them under this Act.

Tax for support of school.

Section 9. That the Trustees herein provided for shall have exclusive control of the free school in said school district, and shall be invested with all the powers of School Trustees under the general school law. And may also fix the terms on which new residents of said school district shall be admitted to the schools thereof. The said Board of Trustees shall make a full report of receipts and disbursements and of all their transactions pertaining to the schools of said school district each year.

Trustees to have exclusive control of the school.

Section 10. All taxes assessed and collected under the provisions of this Act for the support of the schools of said school district shall be paid out by the County Treasurer upon the warrant of the Chairman and Secretary of the said Board of Trustees, and all school funds in said school district arising from the poll tax, the Constitutional school

School fund collected, how paid out.

A. D. 1896.

Terms of office of Trustees.

tax, and from any and all other public sources, applicable to said school district shall be paid out by the said Treasurer upon a like warrant.

Section 11. That the Board of Trustees of said school district shall be so constituted as that the term of three members thereof shall expire each year, and the qualified electors of said school district shall at an annual meeting herein provided for elect their successors. Members of the said Board shall be eligible for re-election. The term of office of said Trustees shall begin on the first day of January. The Board of Trustees shall call a meeting of the qualified electors of said school district on the Tuesday next preceding the first day of January of each year and shall give notice of the time and place of such meeting by publication twice in a newspaper published in said school district, which meeting shall elect Trustees and transact any other business pertaining to said school district which may properly come before it. The present Board of Trustees shall continue in office until the first day of January, 1897, and shall at their first meeting after the approval of this Act determine by lot which three of their number shall go out of office at said time, and which three shall go out in 1898, and which three in 1899. The Board of Trustees are empowered to fill vacancies in said Board for less than one year.

Approved the twenty-eighth day of February, A. D. 1896.

No. 185.

No. 132. AN ACT to Enable the County Board of Examiners of Anderson County to Hold a County Normal School During the Summer of 1896 and to Provide for the Payment of the Expenses Thereof.

Normal school
for Anderson
County.

Section 1. Be it enacted by the General Assembly of the State of South Carolina, That the County Board of Examiners of Anderson County be, and are hereby, empowered to set apart one hundred and fifty dollars from the school fund of the County, in addition to the two hundred dollars now allowed by law, for the purpose of paying the expenses of a County Teachers' Normal School to be taught during the

Summer of 1896: Provided, That said Normal School shall be taught for three weeks.

A. D. 1896.

Approved the ninth day of March, A. D. 1896.

No. 186.

AN ACT to Amend an Act Entitled "An Act to Amend the Fourth Section of an Act Entitled 'An Act to Provide for the Establishment of a New School District in Spartanburg County and to Authorize the Levy and Collection of a Local Tax Therein,' Approved December 22nd, 1883," so as to Prescribe the Number, Manner of Election and Term of Office of Trustees.

No. 133.

Section 1. Be it enacted by the General Assembly of the State of South Carolina, That an Act entitled "An Act to amend the fourth Section of an Act entitled 'An Act to provide for the establishment of a new school district in Spartanburg County and to authorize the levy and collection of a local tax therein,' approved December 22nd, 1883," be amended by striking out from and including the word "second" down to and including the words "and who" in that part of Section 1 which amends and repeats Section 4 of the original Act of incorporation of said school district, and by inserting in lieu of the words so stricken out the following: "Second, to adjourn sine die. That at the next municipal election for Mayor and Aldermen of the city of Spartanburg there shall be elected seven Trustees for the said school district, each of whom shall be a freehold voter in said district, and no one or more of whom shall be a trustee, director or stockholder in any private or other school or college in said city, three of whom shall hold for a term of two years from the date of election, and two of whom for a term of four years, and two of whom for six years from the election; the length of term of each to be decided by lot after the election in the presence of the County Superintendent of Education; the Board of seven to be filled out every two years by electing a suitable number at the time of the election of Mayor and Aldermen for that year, and the length of term of those elected to fill out the Board to be decided by lot as heretofore. The qualification of electors voting for said Trustees shall be the same as that required by law for voters in other school districts in

Act amended.

A. D. 1896.

Local tax, how
levied.

Trustees, elec-
tion of.

Powers and
duties of.

this State; which Trustees when so elected." So that said Section 4 of the original Act of incorporation when so amended shall read as follows: "Section 4. That when the persons answering the above description shall have assembled in public meeting they shall have power: First. To select a Chairman and Secretary, adjourn from time to time, decide what additional tax, if any, shall be levied, and appropriate the same in such manner as they may think best for the educational interests of said school district: Provided, That no tax thus levied shall be repealed at any subsequent meeting within the same year. Second. To adjourn sine die. That at the next municipal election for Mayor and Aldermen of the city of Spartanburg there shall be elected seven Trustees for the said school district, each of whom shall be a freehold voter in said district, and no one or more of whom shall be a trustee, director or stockholder in any private or other school or college in said city; three of whom shall hold for a term of two years from the date of election, and two of whom for a term of four years, and two of whom for six years from the election; the length of term of each to be decided by lot after the election in the presence of the County Superintendent of Education; the Board of seven to be filled out every two years by electing a suitable number at the time of the election of Mayor and Aldermen for that year, and the length of term of those elected to fill out the Board to be decided by lot as theretofore. The qualification of electors voting for said Trustees shall be the same as that required by law for voters in other school districts in this State; which Trustees when so elected, in addition to the duties and responsibilities now provided by law for Trustees of school districts, shall have the following powers and duties: 1. To purchase or erect suitable buildings for the use of the public schools of said school district. 2. To elect and dismiss Superintendents and teachers of the city schools, prescribe their duties, terms of their office, and to fix their salaries, and to cause an examination of said teachers to be made whenever necessary; also to determine the class books and studies to be used in said schools, and to make rules and regulations for the government of said schools. 3. To determine the manner in which the tax heretofore authorized (and the two mills Constitutional and poll tax provided by law) shall be expended

in maintaining said schools; and 4. To fill all vacancies occurring in said Board of Trustees by death, resignation, removal or otherwise during their term of office or service: Provided, further, That in case in any year no such meeting shall be held, or in case at any such meeting no action shall be taken in regard to the levy and collection of the special tax in said school district, it shall nevertheless be the duty of the County Auditor of Spartanburg County, or of such other officer as may at any time be charged with the duty of assessment and levy of taxes in said County and school district, to assess and levy a special school tax of two mills in addition to the Constitutional school tax on all real and personal property returned in said school district, and the same shall be a lien until paid on all property in said district; and the County Treasurer, or other proper officer, shall collect the same with the State and County taxes, in the same manner and subject to the same penalties as are provided by law for the collection of State and County taxes."

A. D. 1896.

Approved the ninth day of March, A. D. 1896.

No. 187.

AN ACT to Exempt Certain Portions of Pickens County from the Operations of the General Stock Law of the State. No. 10.

Section 1. Be it enacted by the General Assembly of the State of South Carolina, That all that portion of Pickens County lying within the following boundaries, to wit: Commencing at the North Carolina line at the head of Big Eastatoee Creek, thence down the Big Eastatoee Creek to its mouth, thence up Keowee River to Toxaway River, thence up Toxaway River to the North Carolina line, thence the North Carolina line to the beginning, be, and the same is hereby, exempted from the operations of the provisions of the General Stock Law of the State as now existing: Provided, That the residents of the section named shall at their own expense build a good and sufficient fence along the line above described, or if already built to keep the same in good repair, sufficient to protect the lands outside of said

Portion of
Pickens County
exempt from
Stock Law.

A. D. 1896.

territory from incursions of all stock and animals named in said General Stock Law, and this exemption shall not take effect until the said fence is completed, or if already built shall cease as soon as there is a failure to keep up said fence at any point: Provided, further, That good, convenient and substantial gates shall be placed on all public roads crossed by this fence at the expense of the residents of the boundary herein exempted; and the penalty for having said gates open shall be the same as for leaving pasture fences down, as provided for in the General Stock Law.

Approved the eleventh day of February, A. D. 1896.

No. 188.

- No. 61. AN ACT to Repeal an Act Entitled "An Act to Exempt Certain Portions of Anderson and Penn Townships in Williamsburg County from the Provisions of Chapter XXVII of the General Statutes, Relating to the General Stock Law."

Portion of
Williamsburg
County exempt
from Stock Law

Section 1. Be it enacted by the General Assembly of the State of South Carolina, That an Act entitled "An Act to exempt a certain portion of Anderson and Penn Townships in Williamsburg County from the provisions of Chapter XXVII of the General Statutes, relating to the General Stock Law," approved December 24, 1892, be, and said Act is hereby, repealed.

Approved the twenty-eighth day of February, A. D. 1896.

No. 189.

- No. 66. AN ACT to Reduce the Required Height of a Lawful Fence, and to Punish Persons Failing to Maintain Lawful Fences When Any Stock Shall Cross the Same.

Section 1. Be it enacted by the General Assembly of the State of South Carolina, That after the approval of this Lawful fence. Act the lawful requirement of the height of a lawful fence in Counties and sections of Counties which are exempt from the operation of the General Stock Law shall be four and

one-half feet instead of five feet as heretofore required, but the sufficiency of a stream or other substitute for such lawful fence shall be passed upon and determined upon as heretofore.

A. D. 1896.

Section 2. That it shall be unlawful for any person in any County or section which is exempt from the operation of the General Stock Law to plant or cultivate any crop which is not enclosed by a lawful fence, as defined in this Act. The owner or manager of such crops shall, upon conviction, be deemed guilty of a misdemeanor and subject to a fine not to exceed twenty-five dollars or imprisonment not to exceed thirty days.

Crops in sections not under stock law to be planted within lawful fence.

Section 3. That nothing in this Act contained shall be construed to give the owner of any crop the right to impound any stock entering his field unless such field is at the time enclosed by a lawful fence.

Stock not to be impounded, when.

Section 4. That all Acts and parts of Acts inconsistent with this Act are hereby repealed: Provided, The provisions of this Act shall only apply to the County of Horry: Provided, This Act shall not take effect until January the first, 1897.

Act to apply only to Horry.

Approved the second day of March, A. D. 1896.

No. 190.

AN ACT to Provide for a Special Tax on Certain Live Stock in Chesterfield County for the Purpose of Keeping in Repair Certain Fences.

No. 70.

Section 1. Be it enacted by the General Assembly of the State of South Carolina, That the County Commissioners of the County of Chesterfield be, and are hereby, authorized and required to immediately order an election in that section of said County by law exempt from the provisions of the General Stock Law, at which election the question shall be submitted to the qualified electors of said section of said County, "Shall a special tax not exceeding two mills on the dollar on the assessed value of all live stock, including horses, mules, cattle, sheep, goats and hogs, in said ex-

Election on special tax in Chesterfield County.

A. D. 1896.

empted sections be levied and collected for the purpose of repairing and maintaining the fence around said exempted section?" And if at said election a majority of the qualified electors residing in said section and voting in said election shall vote "Yes," the County Commissioners shall levy said tax or so much thereof as may be necessary, and report the same to the County Auditor, who is hereby authorized and required to enter and assess said tax, and the County Treasurer to collect the same at the same time and in the same manner that other taxes are collected.

Tax, how held
and paid out.

Section 2. The said tax fund shall be held by the County Treasurer subject to the order of the County Board of Commissioners, and shall be paid out upon their warrant, signed by the County Supervisor and countersigned by the Secretary of the Board, for the purpose of keeping in good repair the border fences of said exempted sections of said County.

Contracts for
repairs of fence.

Section 3. It shall be the duty of the County Board of Commissioners to let out to the lowest bidder the contract for the repairs of said fence in convenient sections, at their discretion, and to pay for the same out of said tax fund after inspection, at their discretion.

Approved the second day of March, A. D. 1896.

No. 191.

No. 143. AN ACT to Amend Section 1 of an Act Entitled "An Act to Prohibit the Purchase of Seed Cotton in Berkeley County Without a License, and to Regulate the Operating of the Same," Approved January 5, 1895.

Section 1. Be it enacted by the General Assembly of the State of South Carolina, That Section 1 of an Act entitled "An Act to prohibit the purchase of seed cotton in Berkeley County without a license, and to regulate the operating of the same," approved January 5, 1895, be, and the same is hereby, amended by inserting in the fifth line thereof, between the words "in" and "the," the following words, to wit: "the hereinafter described portion of." So that the said Section shall read as follows: Section 1. Be it enacted by the Senate and House of Representatives of the State of

South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the traffic in seed cotton by purchase, barter or exchange in the hereinafter described portion of the County of Berkeley, within the periods hereinafter named, without license is prohibited.

Approved the ninth day of March, A. D. 1896.

A. D. 1896.

Traffic in seed cotton in Berkeley County prohibited.

No. 192.

AN ACT to Amend Section 2 of an Act Entitled "An Act to Amend an Act Entitled 'An Act to Regulate the Traffic in Seed Cotton in the Counties of Abbeville, Aiken, Sumter, York, Edgefield, Berkeley, Kershaw, Richland, Orangeburg, Charleston, Chester and Union,' so Far as Said Act Relates to the County of Edgefield, and to Extend the Operation of Section (1) One of Said Act to the Counties of Lexington, Lancaster, Fairfield and Charleston," in so Far as Said Section Relates to the County of Edgefield.

No. 27.

Section 1. Be it enacted by the General Assembly of the State of South Carolina, That Section 2 of an Act entitled "An Act to amend an Act entitled 'An Act to regulate the traffic in seed cotton in the Counties of Abbeville, Aiken, Sumter, York, Edgefield, Berkeley, Kershaw, Richland, Orangeburg, Charleston, Chester and Union,' so far as said Act relates to the County of Edgefield, and to extend the operation of Section (1) one of said Act to the Counties of Lexington, Lancaster, Fairfield and Charleston," approved December 24th, A. D. 1889, be, and the same is, amended by striking out the words on the 6th, 7th and 8th lines thereof: "Except in the County of Edgefield, where it shall be within the period beginning the 15th of August and ending the 22nd of each year." So that said Section as amended shall read: Section 2. That the Clerk of the Court of Common Pleas for the Counties in this State respectively named in the first Section of this Act be, and are hereby, authorized and empowered to issue licenses to traffic in seed cotton by purchase, barter or exchange, within the period beginning the 15th of August and ending the 15th of December of each year, to such person or persons as shall file with said Clerks, respectively, a written application therefor, the granting of which shall be recommended by at least ten land owners

Act amended.

License to traffic in seed cotton in certain Counties.

A. D. 1896.

resident within the township wherein said applicant intends to do business. Such license shall specify the exact place whereat the said business shall be carried on, and the period within which such traffic is permitted, and shall continue in force for the space of one year from the date of issue; and for such license, if granted, a fee of three hundred dollars shall be paid by the applicant to the County Treasurer, for the use of the said Counties, respectively.

Approved the twenty-fifth day of February, A. D. 1896.

No. 193.

No. 83. AN ACT to Provide for the Drainage of Middle Tiger River and Its Tributaries.

Drainage of Middle Tiger River. Section 1. Be it enacted by the General Assembly of the State of South Carolina, That the County Boards of Commissioners of Spartanburg County and their successors be, and they are hereby, authorized and directed to cause to be drained Middle Tiger River in the County of Spartanburg, at a total cost of not exceeding one thousand dollars.

Special tax levied therefor. Section 2. That there shall be levied and collected upon all the meadow lands now in a swamp condition lying on or adjacent to Wolf Creek, the Beaver Dams tributary to Middle Tiger River, and also Middle Tiger River, a special tax, beginning at the shoals above the Gross Mill pond, North of the Air Line Railroad, running up the river as high as the land is in a swamp condition, in Spartanburg County, along near the banks of Middle Tiger River, also to apply to Wolf Creek and the two Beaver Dams that are tributary to said Middle Tiger River, sufficient to pay off in three installments the whole cost of the drainage of said swamps, said annual levies to begin with the year 1896, and the succeeding annual levies not to extend beyond the year 1898. The said County Board of Commissioners and their successors are hereby authorized to borrow sufficient funds for the drainage of said river, the same with interest thereon to be paid out of the tax so to be collected.

Contract for, how made. Section 3. That the County Board of Commissioners of said County and their successors are hereby authorized and

empowered to contract for said drain, and make all such contracts as shall be necessary or proper for the exercise of the powers herein conferred.

A. D. 1896.

Section 4. They shall remove all trash, logs and trees in river, and require all land owners to remove trees and obstructions from the banks for eight feet from the river; and after the trash, trees and obstructions have been removed, then all shoals are to be blasted until the river gives a drainage of three feet from the surface to all the land on Middle Tiger River. The County Boards of Commissioners of Spartanburg County are hereby authorized and required, if they may deem proper, to make all necessary surveys that will enable them to make this tax levy.

Banks to be cleaned.

Approved the ninth day of March, A. D. 1896.

No. 194.

AN ACT to Enable J. Baxter Westbrooks of Chester County, a Minor Over the Age of Nineteen Years, to Apply for Admission to the Bar.

No. 104.

Section 1. Be it enacted by the General Assembly of the State of South Carolina, That J. Baxter Westbrooks of Chester, a minor over the age of nineteen years, who is believed to be properly qualified except as to age, be, and he is hereby, permitted to apply for admission to the bar immediately after the passage of this Act, and that upon proper motion the Supreme Court of this State is hereby authorized to admit the said J. Baxter Westbrooks, if found qualified upon examination, except as to age, to all the privileges granted to persons applying for permission to practice as attorney at law.

J. Baxter Westbrook may apply for admission to the bar.

Approved the ninth day of March, A. D. 1896.

No. 195.

AN ACT to Enable E. J. Dennis, Jr., of Berkeley County, a Minor Over the Age of Nineteen Years, to Apply for Admission to the Bar.

No. 47.

Section 1. Be it enacted by the General Assembly of the State of South Carolina, That E. J. Dennis, Jr., of Berkeley, a minor over the age of nineteen years, who is believed to

A. D. 1896.

E. J. Dennis,
Jr., may apply
for admission to
the bar.

be properly qualified except as to age, be, and he is hereby, permitted to apply for admission to the bar immediately after the passage of this Act; and that, upon proper motion, the Supreme Court of this State is hereby authorized to admit the said E. J. Dennis, Jr., if found qualified except as to age, to all the privileges granted to persons applying for permission to practice as attorneys at law.

Approved the twenty-fifth day of February, A. D. 1896.

No. 196.

No. 39. AN ACT to Amend an Act Entitled "An Act to Regulate Fishing at Certain Times in Aiken, Barnwell, Darlington, Colleton and Orangeburg Counties," Approved December 24th, A. D. 1894.

Section 1. Be it enacted by the General Assembly of the State of South Carolina, That Sections 1, 2 and 3 of an Act entitled "An Act to regulate fishing at certain times in Aiken, Barnwell, Darlington, Colleton and Orangeburg Counties," approved December 24th, A. D. 1894, be amended so as to read as follows: Section 1. That from the first day of April to the first day of November in the Counties of Aiken, Barnwell and Colleton, and from the first day of May to the first day of November in the Counties of Darlington and Orangeburg, in each and every year hereafter, it shall be unlawful to obstruct, by any means, the passage of any fish in or to take and catch any fish from any of the streams and their tributaries by seine, hook and line or bow net.

Unlawful to obstruct the passage of fish, &c., in certain Counties at certain seasons.

Unlawful to catch, in certain Counties; exception.

Section 2. That between November the 1st and April the 1st in the Counties of Aiken, Barnwell and Colleton, and between November the 1st and May the 1st in the Counties of Darlington and Orangeburg, in each and every year hereafter, there shall be a close time from sunrise on Friday morning to sunrise on Monday morning in each week, in which it shall be unlawful to take or catch any fish except by hook and line or bow net.

Unlawful in certain Counties to catch fish in certain ways; exception.

Section 3. That between November the first and April the 1st in the Counties of Aiken, Barnwell and Colleton, and between November the 1st and May the 1st in the Counties

of Darlington and Orangeburg, in each and every year hereafter, from sunrise on Monday morning to sunrise on Friday morning, it shall be unlawful to take or catch any fish with seine, gill net, bow net or fibre net. That in no case shall any net or seine extend more than two-thirds across the stream, nor shall any two or more nets be used within two hundred yards of each other: Provided, That nothing in this Act shall apply to Lynche's River.

A. D. 1896.

Section 4. That any person or persons who shall be convicted of the violation of any of the provisions of the foregoing Sections of this Act shall be punished by a fine of not less than ten nor more than one hundred dollars, or by imprisonment of not less than ten nor more than thirty days, for the first offense, and for the second or any subsequent offense by a fine of not less than one hundred nor more than five hundred dollars or by imprisonment of not less than thirty days nor more than six months or both, in the discretion of the Court, three-fourths of the fine or fines recovered to be paid to the informer.

Violations, how punished.

Section 5. That at no time in any year shall it be lawful to place or keep in any of said streams or tributaries any wooden or wire traps for catching a fish, and any person so doing shall be punished as provided for other violations of this Act: and it shall be the duty of any of the members of the several Township Boards of Commissioners to prosecute any person violating this Act who is not prosecuted by some other person.

Wooden and wire traps prohibited.

Section 6. That all Acts and parts of Acts inconsistent with this Act be, and they are hereby, repealed.

Approved the twenty-fifth day of March, A. D. 1896.

No. 197.

AN ACT to Authorize the Regents of the State Hospital for the Insane to Close Up a Part of Elmwood Avenue in the City of Columbia and to Change the Asylum Road.

No. 73.

Section 1. Be it enacted by the General Assembly of the State of South Carolina, That the Regents of the State Hospital for the Insane are authorized to close up and use so much of Elmwood avenue in the city of Columbia as lies be-

A. D. 1896.

Regents of
Asylum may
close part of
Elmwood ave-
nue.

tween the present main entrance of the said State Hospital for the Insane and the Eastern line of Bull street of said city, and to change the Asylum road so as to better secure the privacy of the wards occupied by white women: Provided, That before the closing up of said part of Elmwood avenue the Regents for the State Hospital for the Insane shall acquire the right to open up and extend Bull street for its full width for the use of the public in a Northerly direction for a distance of at least four hundred and seventeen feet from the Northern line of Elmwood avenue, and shall also provide a good and sufficient road for the use of the public connecting the Northern terminus of Bull street so extended with the old Asylum road at such a point upon said road as may be determined in the manner hereinafter provided.

New road,
how to be locat-
ed.

Section 2. That a Commission consisting of three persons, one to be appointed by the Regents for the State Asylum for the Insane, one by the County Board of Commissioners for Richland County, and one by the City Council of Columbia, shall be charged with the duty, and shall be authorized and empowered, to locate the new road provided for in Section 1. No part of Elmwood avenue and no part of the Asylum road shall be closed up or appropriated to the uses of the State Hospital for the Insane until the extension of Bull street shall be opened up as a street for the use of the public and until the new road is located and opened up for the use of the public as hereinabove provided.

Regents may
purchase or
condemn land
for right of way.

Section 3. That for the purpose of carrying out the provisions of this Act the Regents for the State Hospital for the Insane are hereby authorized to acquire, by purchase or by condemnation, in the manner provided by law, such lands or rights of way as may be necessary, and to pay for the same out of any funds appropriated or to be appropriated for that purpose or for the support of said institution.

Approved the second day of March, A. D. 1896.

No. 198.

No. 74. AN ACT to Provide for the Disposition of the Profits of the State from the State Dispensary.

Section 1. Be it enacted by the General Assembly of the State of South Carolina, That the profits of the State from

the State Dispensary heretofore accrued up to December 31, 1895, inclusive of the fifty thousand dollars heretofore covered into the State Treasury, amounting to the sum of \$243,816.57, be paid into the State Treasury as the same is collected, and that the same be entered upon the general account in the State Treasury and be applied to the general current expenses of the State government for the fiscal year 1896.

A. D. 1896.

Profits of State Dispensary to December 31st, 1895.

Section 2. That the profits of the State from the State Dispensary accruing since January 1, 1896, be paid into the State Treasury as the same is collected, and that the same be entered upon a special account and be held in the State Treasury under the provisions of Section 12 of Article XI of the Constitution of the State.

Profits subsequent to said date.

Section 3. That all Acts or parts of Acts inconsistent with the provisions of this Act be, and the same are hereby, repealed.

Approved the second day of March, A. D. 1896.

No. 199.

AN ACT to Repeal an Act Entitled "An Act to Change the Regular Day for Sheriff's, Clerk's and Master's Sales in Greenville County," Approved December the 22d, 1894.

No. 84.

Section 1. Be it enacted by the General Assembly of the State of South Carolina, That an Act entitled "An Act to change the regular day for Sheriff's, Clerk's and Master's sales in Greenville County," approved December the 22d, A. D. 1894, be, and the said Act is hereby, repealed.

Act repealed.

Approved the ninth day of March, A. D. 1896.

No. 200.

AN ACT to Repeal an Act Entitled "An Act to Change the Days for the Opening of the Circuit Courts in Greenville County," Approved December 17th, A. D. 1894, and to Conform Recognizances and Papers to the Change.

No. 85.

Section 1. Be it enacted by the General Assembly of the State of South Carolina, That an Act entitled "An Act to change the days for the opening of the Circuit Courts in Greenville County," approved December the 17th, A. D. 1894, be, and the said Act is hereby, repealed.

Act amended.

A. D. 1896.
 Times for
 Court in Green-
 ville County.

1894, be, and said Act is hereby, repealed, and said Court shall be opened and held as follows: The Court of General Sessions shall be held on the third Monday in March, the third Monday in July and the second Monday in November; the Court of Common Pleas shall be held on the Wednesdays next following the said Mondays.

When sum-
 mons and re-
 cognizances re-
 turnable.

Section 2. That all jurors and witnesses shall be summoned, and all recognizances now of force shall be continued, and all papers, processes of every kind, shall be returnable, for and on the said Mondays.

Approved the ninth day of March, A. D. 1896.

No. 201.

No. 25. AN ACT to Authorize the County Treasurer of Charleston County to Pay to William H. Jones the Amount of a Bond of Charleston County for Five Hundred Dollars and Sixty Dollars Interest Thereon, Which Bond Was Lost or Accidentally Destroyed by Him While Owned and Held by Him.

County Treas-
 urer of Charle-
 ston to pay W.
 H. Jones a bond.

Section 1. Be it enacted by the General Assembly of the State of South Carolina, That the Treasurer of Charleston be, and he is hereby, directed to pay to William H. Jones, his executors or administrators, the principal and interest due and in arrear up to first of March, 1895, amounting to five hundred and sixty (\$560) dollars, on a bond, No. 102, of Charleston County for five hundred (\$500) dollars, which matured 1st March, 1895, with interest for two years, the same having been lost or destroyed, upon receiving a bond in double the amount of the sum so to be paid, with freehold sureties to be approved by said Treasurer, conditioned to indemnify and save harmless the said County from any and all loss, damage and expense that may arise by reason of any claim that may be made by any other or others upon said bond, to run for a period of not less than twenty years from its date. Said payment to be made out of funds already appropriated to pay bonds maturing at same time.

Approved the twenty-fifth day of February, A. D. 1896.

A. D. 1896.

No. 202.

A JOINT RESOLUTION to Authorize and Direct the County Treasurer of Charleston County to Borrow a Sum or Sums Not Exceeding Five Thousand Dollars for the Purpose of Paying Salaries of All County Officials for the Months of November and December, 1895, and January, 1896.

No. 1.

Section 1. Be it enacted by the General Assembly of the State of South Carolina, That the County Treasurer of Charleston County be, and he is hereby, authorized and directed to borrow on his official note as County Treasurer, or other similar evidence of indebtedness, a sum or sums not exceeding in all five thousand dollars, at a rate of interest not exceeding seven per cent. per annum, for the purpose of paying the salaries of all County officials for the months of November and December, 1895, and January, 1896, and interest due on the notes of the County Treasurer, and, if any surplus remains, for any succeeding months in the year 1896, until the sum so borrowed is paid as provided in this Section.

County Treasurer of Charleston to borrow money.

Section 2. That this Joint Resolution shall take effect upon its approval by the Governor.

Approved the sixth day of February, A. D. 1896.

No. 203.

A JOINT RESOLUTION to Provide for the Printing and Sale of Copies of the Constitution of the State, Ratified December 4th, 1895.

No. 2.

Section 1. Be it resolved by the General Assembly of the State of South Carolina, That the Secretary of State be, and he is hereby, authorized and directed to have twenty-five hundred copies of the Constitution of the State, ratified December 4th, 1895, printed, and to sell the same at cost, including the necessary expenses attending such sale and delivery.

Constitution to be printed for sale.

Section 2. That three hundred dollars be appropriated therefor if so much be necessary.

Approved the sixth day of February, A. D. 1896.

A. D. 1896.

No. 204.

- No. 3. A JOINT RESOLUTION to Authorize and Require the Comptroller-General to Draw His Warrant on the State Treasurer for the Sum of One Hundred and Seventy-Five Dollars in Favor of the Legal Commander of the Santee Rifles and the State Treasurer to Pay the Same.

Santee Rifles,
payment of.

Section 1. Be it resolved by the General Assembly of the State of South Carolina, That the Comptroller-General be, and is hereby, authorized and required to draw his warrant on the State Treasurer for the sum of one hundred and seventy-five dollars in favor of the legal commander of the Santee Rifles of Orangeburg County for amount due said company for services rendered in suppressing riot in said County about first of September, 1894.

Section 2. That said State Treasurer be, and he is, required to pay the same out of any funds in the Treasury of the State not otherwise appropriated.

Approved the seventh day of February, A. D. 1896.

No. 205.

- No. 4. A JOINT RESOLUTION to Refund to R. Z. Wright \$18.91-100 Paid by Him for Certificate of Services as Constable.

Whereas J. H. Compton has rendered services as Constable in the County of Laurens and has not been paid; and whereas R. Z. Wright has paid to him the amount due for such services and holds the certificate therefor:

Laurens
County to pay
R. Z. Wright a
claim.

Section 1. Be it resolved by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the County Supervisor of Laurens County do draw warrant in favor of the said R. Z. Wright for eighteen 91 3-4-100 dollars on the County Treasurer of said County, and the said County Treasurer do pay the same out of any money in his hands not otherwise appropriated.

Approved the seventh day of February, A. D. 1896.

A. D. 1896.

No. 206.

A JOINT RESOLUTION Authorizing the Governor to Extend an Invitation to the Other Southern States to Unite in Erecting a Monument to the Late George Peabody, and to appropriate Funds Therefor.

No. 5.

Whereas in 1867 George Peabody, a citizen of Massachusetts, gave \$3,000,000, in trust, to be used for the promotion and encouragement of education among the young of those portions of the Southern and Southwestern States of the Union which suffered from the destructive ravages and the not less disastrous consequences of civil war; and whereas South Carolina and the other Southern States have since the organization of the "Peabody Education Board" received, and are receiving, continuous and most helpful aid from the annual distribution of the income of the fund; and whereas his Excellency in his annual message has said that "it would be a graceful act, and a recognition of his (Mr. Peabody) benevolence, for the Southern States to join in erecting a statue of this great philanthropist to be placed in the rotunda of the Capitol at Washington among those of our country's heroes and statesmen," and has recommended action looking to the carrying out his suggestion in paying tribute to our common benefactor. Therefore,

Governor to take steps looking to the Southern States erecting a monument to George Peabody, deceased.

Section 1. Be it enacted by the General Assembly of the State of South Carolina, That the Governor be requested and authorized to correspond with the Governors of the other Southern States in reference to the erection of a statue by joint contribution, in the old hall of the House of Representatives in Washington; to take such other steps as may be needful for securing the early completion of what may be undertaken in accordance with these resolutions.

Section 2. That the sum of fifteen hundred dollars be placed in the hands of the Governor to be used, so far as may be necessary, in the execution of their joint determination.

Approved the twenty-fifth day of February, A. D. 1896.

A. D. 1896.

No. 207.

- No. 6.** A JOINT RESOLUTION to Authorize and Require the Comptroller-General of the State to Draw His Warrants in Favor of the Commissioners of Election to Pay the Commissioners and Managers of Election for Services Rendered in the Election for Delegates to the Constitutional Convention and the State Treasurer to Pay the Same.

Expenses of
election for
delegates to the
Constitutional
Convention pro-
vided for.

Section 1. Be it resolved by the General Assembly of the State of South Carolina, That the Comptroller-General of this State be, and he is hereby, authorized and required to draw his warrants in favor of the Commissioners of Election of the several Counties of this State to pay the said Commissioners and Managers of Election for services rendered in the election held for delegates to the Constitutional Convention, the pay of said persons to be the same as paid for services rendered by them in general State elections, and the State Treasurer to pay the same out of any funds in the Treasury not otherwise appropriated.

Approved the twenty-fifth day of February, A. D. 1896.

No. 208.

- No. 8.** A JOINT RESOLUTION to Provide for Auditing and Payment of Expenses of Elections.

Expenses of
elections, how
paid.

Section 1. Be it enacted by the General Assembly of the State of South Carolina, That the Comptroller-General be, and he is hereby, authorized and required to audit and, in his discretion, to order paid, and the State Treasurer to pay, upon such order or warrant, all unpaid claims of Commissioners and Managers of the several elections held in various Counties of the State during the past years and all claims for advertising notices of such elections.

Approved the twenty-fifth day of February, A. D. 1896.

No. 209.

- No. 9.** A JOINT RESOLUTION to Authorize the State Treasurer to Reissue to J. Q. Marshall, Executor of the Will and Testament of Mary D. Fair, Deceased, a Certain Certificate of Stock, the Original of Which Has Been Lost or Destroyed.

Whereas, it appears by the books of the State Treasurer that there has been issued to Mary D. Fair the following described certificate of Brown Consolidated six per cent.

State of South Carolina stock, to wit, certificate No. 2064 for fifty-eight dollars and forty-seven cents; and whereas it further appears that the said certificate has been lost or destroyed; and whereas the said Mary D. Fair has departed this life, leaving her last will and testament, by the provisions of which J. Q. Marshall was duly appointed her sole executor: now, therefore,

A. D. 1896.

Section 1. Be it enacted by the General Assembly of the State of South Carolina, That the State Treasurer be, and he is hereby, authorized and required to reissue to the said J. Q. Marshall a certificate of State of South Carolina six per cent. stock, known as "Brown" consolidated stock, of the same amount, and payable at the same time, and in all other respects the same as the certificate hereinbefore described, and which has been lost or destroyed as aforesaid: Provided, That the said J. Q. Marshall be required, before receiving said new certificate of stock, to give bond or indemnity, properly executed, and with sureties to be approved by the State Treasurer, in the penal sum of one hundred dollars, to indemnify the State against any loss or damage which may be occasioned by such reissue.

State Treasurer to reissue a certificate of stock issued to Mary D. Fair.

Approved the twenty-fifth day of February, A. D. 1896.

No. 210.

A JOINT RESOLUTION to Require the Penitentiary Authorities to Furnish a Certain Number of Convicts to the Regents of the State Hospital for the Insane.

No. 10.

Section 1. Be it enacted by the General Assembly of the State of South Carolina, That the Board of Directors of the State Penitentiary are hereby authorized and required, upon the order of the Superintendent and Board of Regents of the State Hospital for the Insane, to furnish to said Superintendent and Board of Regents between the first day of April, 1896, and the first day of November same year, able-bodied convicts not to exceed thirty in number, said convicts to be employed by said Superintendent and Board of Regents for the purpose of making brick for the new building.

Convicts to be furnished the Asylum.

Approved the twenty-fifth day of February, A. D. 1896.

A. D. 1896.

No. 211.

- No. 11. A JOINT RESOLUTION to Refund to Certain Persons in Charleston County Money Paid by Them for License Under Misapprehensions of Law.

Whereas certain persons, hereinafter named, residents of that territory lately embraced in Berkeley County and now in Charleston County, did pay the sums of money hereinafter named to the Clerk of Court of Common Pleas for Charleston County for license to buy and barter seed cotton; and whereas it is now conceded that the law requiring the payment of such license fees is not applicable to such territory.

Certain money
paid for licenses
to be refunded.

Section 1. Be it enacted by the General Assembly of the State of South Carolina, That the Clerk of Court of Charleston County be, and he is hereby, directed on demand to repay and refund unto the said persons the sums of money so paid respectively, to wit: To Jos. S. Hart, one hundred and fifty dollars; to Jos. S. Hart, fifty dollars; to L. W. Gordon, fifty dollars; to S. G. Gordon, fifty dollars; to J. H. Pepper, fifty dollars; to Leland & Middleton, fifty dollars; to J. H. Eibbs, fifty dollars; to R. Tillia Morrison, fifty dollars; to Jno. S. Holbert, fifty dollars; to J. M. Muirhead, fifty dollars; to A. M. Whaley, fifty dollars.

Approved the twenty-fifth day of February, A. D. 1896.

No. 212.

- No. 12. A JOINT RESOLUTION to Authorize and Require the State Treasurer to Repay Money Borrowed Under a Convention Ordinance.

State Treasurer to repay
money borrowed
for expenses
of Constitutional Convention.

Section 1. Be it enacted by the General Assembly of the State of South Carolina, That the State Treasurer be, and he is hereby, authorized and required to pay to the Carolina National Bank the sum of twenty-three thousand six hundred and seventy-five 66-100 dollars borrowed and used under an ordinance of the late Constitutional Convention out of any funds in his hands not otherwise appropriated, and to refund to said bank the unexpended balance of the

thirty thousand dollars so borrowed which is now in his hands, amounting to six thousand three hundred and twenty-four 39-100 dollars.

A. D. 1896.

Approved the twenty-eighth day of February, A. D. 1896.

No. 213.

A JOINT RESOLUTION to Authorize and Require the Comptroller-General to Draw His Warrant on the State Treasurer for the Sum of Two Hundred Dollars in Favor of the Legal Commander of the Butler Guards of Greenville, and for the Sum of Ninety Dollars in Favor of the Legal Commander of the Lee Light Infantry of Chester, and for the Sum of One Hundred and Five Dollars in Favor of the Legal Commander of the Abbeville Rifles of Abbeville, and the Treasurer to Pay the Same.

No. 13.

Section 1. Be it enacted by the General Assembly of the State of South Carolina, The Comptroller-General be, and is hereby, authorized and required to draw his warrant on the State Treasurer for the sum of two hundred dollars in favor of the legal commander of the Butler Guards of Greenville, and for the sum of ninety dollars in favor of the Lee Light Infantry of Chester, and for the sum of one hundred and five dollars in favor of the Abbeville Rifles of Abbeville, the amount due said companies for services rendered in suppressing riots in said Counties.

Claim of Butler Guards to be paid.

Section 2. That said State Treasurer be, and he is, required to pay the same out of any funds in the Treasury of the State not otherwise appropriated.

Approved the twenty-eighth day of February, A. D. 1896.

No. 214.

A JOINT RESOLUTION to Empower the Board of County Commissioners of Aiken County to Renew and Pay Certain Evidences of Indebtedness.

No. 14.

Section 1. Be it enacted by the General Assembly of the State of South Carolina, That the Board of County Commissioners of Aiken County be, and it is hereby, empowered to renew and make arrangements to pay from time to time

Aiken County to renew certain evidences of indebtedness.

A. D. 1896.

all notes and other evidences of indebtedness given to the Bank of Aiken for and on account of money borrowed pursuant to law for County purposes.

Section 2. That this Joint Resolution shall take effect from and immediately after its approval.

Approved the second day of March, A. D. 1896.

No. 215.

- No. 15. A JOINT RESOLUTION to Authorize and Direct the Treasurer of Greenville County to Pay W. B. Freeman Eighty-four Dollars in Payment of Teachers Pay Certificate of W. T. Slaughter.

Whereas the Board of School Trustees of School District No. 17 of Greenville County, on the 27th day of May, 1892, issued a teachers pay certificate in favor of W. T. Slaughter for the sum of eighty-four dollars in payment for his services as principal of the school in said district; and whereas said certificate is now held by W. B. Freeman, and has not been paid; therefore,

Treasurer of
Greenville to
pay W. B. Free-
man a school
pay certificate.

Section 1. Be it resolved by the General Assembly of the State of South Carolina, That the Treasurer of Greenville County is hereby authorized and directed to pay out of any of the funds in his hands belonging to School District No. 17 of said County the sum of eighty-four dollars to W. B. Freeman upon his production of the pay certificate issued to W. T. Slaughter for said sum by the Trustees of said district.

Approved the second day of March, A. D. 1896.

No. 216.

- No. 16. A JOINT RESOLUTION to Provide for the Payment to George S. McCravy, Sheriff of Laurens County, Certain Moneys Expended by Him.

Whereas George S. McCravy, Sheriff of Laurens County, acting under instructions from the Governor, did on 2nd day of February, 1893, levy upon certain railroad property

in said County for taxes then due to the State and County; and whereas, by reason of such levy, the said Sheriff became involved in litigation with the receiver of such railroad company, which said litigation has cost him the sum of three hundred and fifty 76-100 dollars:

A. D. 1896.

Section 1. Be it resolved by the General Assembly of the State of South Carolina, That the Comptroller-General be, and he hereby is, authorized and directed to draw his warrant on the State Treasurer in favor of George S. McCravy for the sum of three hundred and fifty 76-100 dollars; and the State Treasurer is hereby directed to pay the same out of any funds in his hands not otherwise appropriated if the determination of the said litigation be against the said George S. McCravy.

Claim of
George S. McCravy
ordered
paid.

Approved the second day of March, A. D. 1896.

No. 217.

A JOINT RESOLUTION to Authorize and Require the Comptroller-General to Draw His Warrant on the State Treasurer for the Sum of Thirty-two Dollars in Favor of the German Hussars of Charleston and the Treasurer to Pay the Same.

No. 17.

Section 1. Be it enacted by the General Assembly of the State of South Carolina, The Comptroller-General be, and is hereby, authorized and required to draw his warrant on the State Treasurer for the sum of thirty-two dollars in favor of the German Hussars of Charleston, the amount due said company for service rendered in the preservation of the peace at Bulow mines, Charleston County.

German Hussars to be paid.

Section 2. That said State Treasurer be, and he is hereby, required to pay the same out of any funds in the Treasury of the State not otherwise appropriated.

Approved the second day of March, A. D. 1896.

No. 218.

A JOINT RESOLUTION to Authorize the Purchase of the Reed Plantation and to Provide for the Payment Thereof.

No. 18.

Section 1. Be it resolved by the General Assembly of the State of South Carolina, That the Board of Directors of the State Penitentiary be, and are hereby, authorized to bor-

A. D. 1896.

Directors of
Penitentiary
authorized to
purchase the
Reed farm, and
to borrow
money there-
for.

row, and the Sinking Fund Commission are hereby authorized to loan out of the ordinary sinking fund, a sum not exceeding ten thousand dollars (\$10,000), at a rate of interest not to exceed five per cent. per annum, payable annually, and to pay the said sum, cash, for the plantation known as the Reed plantation situate on the line of Kershaw and Sumter Counties, of which the State is in possession under contract of purchase, title to said plantation to be taken in the name of the Board of Directors of the State Penitentiary and their successors in office forever in trust for the State of South Carolina, said sum and interest to be secured by the bond of the Chairman of the said Board of Directors and his mortgage of the premises so purchased, (and said Chairman is hereby empowered to execute said bond and mortgage in his name as Chairman of the Board of Directors as a matter of convenience) to and in favor of the Secretary and Treasurer of the Sinking Fund Commission, payable in two annual installments, with privilege of paying in a shorter time; the said bond, mortgage and interest to be paid from the earnings of the State Penitentiary.

Section 2. This Resolution shall go into effect immediately upon its approval.

Approved the fourth day of March, A. D. 1896.

No. 219.

No. 19. A JOINT RESOLUTION to Authorize and Direct the Comptroller-General to Draw His Warrant on the State Treasurer (and the State Treasurer to Pay Same) in Favor of Harry W. Adams for Nine Dollars and Ninety Cents and to Direct the Treasurer of Richland County to Refund the Said Harry W. Adams the Sum of Ten Dollars and Ninety Cents.

Whereas, Harry W. Adams for the fiscal year 1889 and 1890 erroneously returned for taxation one acre of land at Gadsden, in the County of Richland, for the sum of five hundred dollars, instead of five dollars, and upon petition to the Comptroller-General the amount so paid was rebated; and whereas the County Auditor instead of making the change in the assessed value of said land continued same on his books at the said valuation of five hundred dollars, and taxes were paid at said valuation by the said Harry W.

Adams for the fiscal years 1890 and 1891, 1891 and 1892, 1892 and 1893, 1893 and 1894, amounting in excess of what the State tax would have been to the sum of nine dollars and ninety cents, in excess of what the school and County tax would have been to the sum of ten dollars and ninety cents;

A. D. 1896.

Section 1. Be it enacted by the General-Assembly of the State of South Carolina, That the Comptroller-General is hereby authorized and directed to draw his warrant on the State Treasurer, and the said Treasurer is authorized and directed to pay same, in favor of Harry W. Adams for the sum of nine dollars and ninety cents, amount paid by him for State taxes in excess of the proper assessed value of one acre of land in Richland County during the fiscal years 1890 and 1891, 1891 and 1892, 1892 and 1893, 1893 and 1894, and that he be authorized to direct the County Treasurer of Richland to refund to the said Harry W. Adams the sum of ten dollars and ninety cents, being the amount paid by him in excess of school and County taxes during said fiscal years.

Taxes refund-
ed to Harry W.
Adams.

Approved the second day of March, A. D. 1896.

No. 220.

A JOINT RESOLUTION Authorizing and Requiring the Comptroller-General to Draw His Warrant in Favor of M. S. Bailey, of Laurens County, for Three Dollars for Rebate of State Taxes of 1887 and 1888 and the State Treasurer to Pay the Same, and to Authorize the Comptroller-General to Require the County Treasurer of Laurens County to Refund to M. S. Bailey Six Dollars and Thirty Cents Rebate of County and School Tax.

No. 20.

Section 1. Be it enacted by the General Assembly of the State of South Carolina, That the Comptroller-General of this State be, and he is hereby, authorized and required to draw his warrant in favor of M. S. Bailey, of Laurens County, for three dollars for rebate of State taxes of 1887 and 1888, and that the State Treasurer pay the same out of any moneys in the Treasury not otherwise appropriated.

Rebate on
taxes to M. S.
Bailey.

Section 2. That the Comptroller-General be, and he is hereby, authorized and required to instruct the County Treasurer of Laurens County to refund out of the County and

A. D. 1896.

school funds to M. S. Bailey six dollars and thirty cents for rebate of County and school taxes.

Approved the ninth day of March, A. D. 1896.

No. 221.

- No. 21. A JOINT RESOLUTION to Authorize and Require the Directors of the State Penitentiary to Furnish to the Trustees of Winthrop Normal and Industrial College Ten Convicts.

Convicts to be furnished Winthrop College.

Section 1. Be it enacted by the General Assembly of the State of South Carolina, That the Board of Directors of the State Penitentiary are hereby authorized and required, upon the order of the Board of Trustees of the said Winthrop Normal and Industrial College, signed by their President and Secretary, to furnish to the said Board of Trustees able-bodied convicts, not to exceed ten in number, said convicts to be employed by said Board of Trustees in work connected with Winthrop Normal and Industrial College, and for such length of time as said Board may determine; and that the said Board of Trustees of Winthrop Industrial and Normal College shall defray the expenses of the transportation of said convicts to and from the Penitentiary, the expense of medical attention, and the expense of furnishing such convicts with proper food and lodging, and expenses of guards.

Places of those whose sentences expire to be filled.

Section 2. That should the term of imprisonment of any of the convicts first furnished by the Board of Directors of the Penitentiary under the provisions of Section 1 of this Joint Resolution expire by death, expiration of time or otherwise, then the said Board of Directors of the State Penitentiary shall furnish to said Board of Trustees of Winthrop Normal and Industrial College able-bodied convicts to take the place of those whose terms have expired as aforesaid.

Approved the ninth day of March, A. D. 1896.

No. 222.

- No. 23. A JOINT RESOLUTION to Provide for the Payment of the Expenses of the Investigation by the Committee Relative to the Charges Against W. A. Neal.

Section 1. Be it enacted by the General Assembly of the State of South Carolina, That the Comptroller-General be,

and he hereby is, directed to issue to the parties herein named his warrants for the amounts herein set forth respectively, for the services herein specified, that is to say:

A. D. 1896.

Expenses of
Penitentiary In-
vestigating
Committee or-
dered paid.

FOR SERVICES AS WITNESSES.

— —. Sherwood, 120 miles, 8 days' attendance, \$28.00.
T. O. Sanders, Jr., 52 miles, 7 days' attendance, \$19.20.
T. O. Sanders, Sr, 52 miles, 5 days' attendance, \$15.20.
W. F. Clayton, 82 miles, 1 day's attendance, \$10.20.
E. C. Allen, 97 miles, 11 days' attendance, \$31.70.
T. F. Dean, 124 miles, 2 days' attendance, \$16.40.
J. A. Wolfe, 12 miles, 7 days' attendance, \$12.20.
J. E. Jarnigan, 120 miles, 2 days' attendance, \$16.00.
J. B. Cornwell, 74 miles, 5 days' attendance, \$17.40.
W. E. McKnight, 1 days' attendance, \$2.00.
E. D. Turner, 54 miles, 3 days' attendance, \$11.40.

FOR SERVICES AS STENOGRAPHERS.

J. W. Mixson, 4 days at \$4.00 per day, \$16.00, and 10 cents per 100 words for transcribing the testimony; W. H. Macfeat, 3 days at \$4.00 per day, \$12.00, and 10 cents per 100 words for transcribing the testimony.

Approved the ninth day of March, A. D. 1896.

No. 223.

A JOINT RESOLUTION to Require the Printing and Distribution of the Confederate Rolls.

No. 24.

Section 1. Be it enacted by the General Assembly of the State of South Carolina, That the person charged with the duty of revising the Confederate rolls be, and he is hereby, authorized to have printed six thousand copies of the Confederate rolls now in his office, to be distributed by him to the different Counties where the troops were enrolled, in proportion to the enrollment, through the members of the General Assembly for the Counties respectively: Provided, That the said printing be let on contract to the lowest bidder, with the approval of the Governor, after due notice to the public.

Printing and
distribution of
Confederate
rolls.

A. D. 1896.

Section 2. That the amount for printing said rolls shall not exceed one thousand dollars.

Approved the ninth day of March, A. D. 1896.

No. 224.

- No. 25. A JOINT RESOLUTION to Authorize and Require the Treasurer of Kershaw County to Pay the Auditor of Said County Fifty Dollars for Extra Services.

Whereas, during the past fourteen years a special tax has been levied in School District No. 1 of Kershaw County for the support of the graded school in said district, and the Auditor of said County received annually the sum of fifty dollars for his additional labor and services in entering said special tax upon his duplicates until the passage of the Act of December 18th, 1893, in reference to graded schools and tax levies, and has not been paid for the fiscal year 1894 and 1895.

Auditor of
Kershaw County
to be paid for
extra services.

Section 1. Be it resolved by the General Assembly of the State of South Carolina, That the Treasurer of Kershaw County is authorized and directed to pay D. C. Kirkley, Auditor of Kershaw County, the sum of fifty dollars out of any funds in his hands to the credit of said School District No. 1 for his extra labor and services in entering special tax levy for graded school in School District No. 1 in Kershaw County for the fiscal year 1894 and 1895.

Approved the ninth day of March, A. D. 1896.

No. 225.

- No. 26. A JOINT RESOLUTION to Authorize and Direct the Comptroller-General to Draw His Warrant on the State Treasurer in Favor of William Elliott for \$250.00, and the Treasurer to Pay Same.

Claim of Wm.
Elliott ordered
paid.

Whereas William Elliott served one hundred and three days as District Quarantine Officer in Beaufort County and has received no compensation; therefore, now,

Section 1. Be it resolved by the General Assembly of the State of South Carolina, That the Comptroller-General is

hereby authorized and directed to draw his warrant on the State Treasurer in favor of William Elliott for the sum of two hundred and fifty dollars in payment for his services for one hundred and three days as District Quarantine Officer in Beaufort County, and the State Treasurer is hereby authorized and directed to pay same.

A. D. 1896.

Approved the ninth day of March, A. D. 1896.

No. 226.

A JOINT RESOLUTION to Pay Jury Certificate of January Term No. 27.
General Sessions Court for Pickens County, 1888.

Section 1. Be it enacted by the General Assembly of the State of South Carolina, That the Treasurer of Pickens County be, and he is hereby, required to pay Newton T. Martin six dollars on jury ticket No. 10 issued by J. J. Lewis, Clerk, January, 1888, and approved by Presiding Judge J. J. Norton, upon the delivery of said ticket to said Treasurer.

Jury ticket in
Pickens County
ordered paid.

Approved the ninth day of March, A. D. 1896.

No. 227.

A JOINT RESOLUTION to Authorize and Require the Comptroller-General to Draw His Warrant, and the State Treasurer to Pay Same, for \$26.95, to Mrs. E. A. Rollins, Trustee, for Duplicate State Taxes Paid by Her in the Years 1889, '90, '91, '92, '93, and That the Comptroller-General be, and is Hereby, Authorized to Instruct and Direct the County Treasurer of Florence County to Refund to Mrs. E. A. Rollins \$34.78 for the Duplicate County Taxes for the Fiscal Years 1889-90, 1890-91, 1891-92, 1892-93, and the County Treasurer of Florence County to Pay Same.

No. 28.

Section 1. Be it enacted by the General Assembly of the State of South Carolina, That the Comptroller-General be, and he is hereby, authorized and required to draw his warrant on the State Treasurer, and the State Treasurer is hereby required to pay the same, for twenty-six dollars and twenty-five cents, to and in favor of Mrs. Ellen A. Rollins,

A. D. 1896.

Treasurer of
Florence to re-
fund certain
taxes paid.

trustee, for duplicate State taxes paid by her in Florence County for the fiscal years 1889-90, 1890-91, 1891-1892 and 1892-93.

Section 2. That the Comptroller-General be, and he is hereby, authorized to instruct and direct the County Treasurer of Florence County to refund to Mrs. Ellen A. Rollins, trustee, the sum of thirty-four dollars and seventy-eight cents for the duplicate County taxes for the fiscal years 1889-90, 1890-91, 1891-92 and 1892-93, and the County Treasurer of Florence County is hereby authorized to pay the same.

Approved the ninth day of March, A. D. 1896.

No. 228.

No. 30. A JOINT RESOLUTION Providing That the Directors of the State Penitentiary Shall Furnish the Convicts Provided for in the Act Entitled "An Act Relating to the Severance of Claflin College from Claflin University and the Establishment of a Normal, Industrial, Agricultural and Mechanical College for the Colored Race," Passed at This Session of the General Assembly, Provided the Convicts are on Hand and Not Otherwise Employed When Wanted by Said College.

Convicts to be
furnished the
Trustees of the
Colored Normal,
Industrial and
Agricultural
College.

Section 1. Be it enacted by the General Assembly of the State of South Carolina, That the Directors of the State Penitentiary of this State are to furnish to the Board of Trustees of the Colored Normal, Industrial, Agricultural and Mechanical College of South Carolina forty able-bodied convicts as provided for in an Act entitled "An Act relating to the severance of Claflin College from Claflin University and the establishment of a Normal, Industrial, Agricultural and Mechanical College for the colored race," passed at the present session of the General Assembly, provided the convicts are on hand and not otherwise employed when the Trustees of the said college make a demand for said convicts or any part thereof: Provided, That the South Carolina Penitentiary be at no expense in furnishing such convicts except shoes and clothing for the same.

Approved the ninth day of March, A. D. 1896.

No. 229.

A. D. 1896.

A JOINT RESOLUTION to Authorize the Regents of the State Hospital for the Insane to Purchase the Wallace Property and to Provide for Paying for Same.

No. 31.

Section 1. Be it enacted by the General Assembly of the State of South Carolina, That the Regents of the State Hospital for the Insane are hereby authorized and empowered to purchase the property known as the Wallace property, containing one hundred and eight (108) acres, more or less, with the buildings thereon, for the use of the State Hospital for the Insane, provided the price to be paid for said property shall not exceed twenty-seven thousand five hundred dollars.

Regents of Asylum authorized to purchase the Wallace property.

Section 2. That the said Regents are authorized and empowered to sell the bonds in their custody known as the Dix Fund, and to apply the proceeds of the sale of said bonds and accumulated interest to the purchase of the Wallace property.

Section 3. That the said Regents are authorized and empowered to borrow a sum of money not exceeding the difference between the sum realized from the sale of the bonds (known as the Dix Fund) and the amount paid for said property, and the President of the Board of Regents shall in his official capacity execute his bond and a mortgage of the said premises to secure such loan.

Approved the ninth day of March, A .D. 1896.

No. 230.

A JOINT RESOLUTION to Require Certain Acts Passed by the General Assembly During the Session of 1894 to be Published with the Acts of 1896.

No. 32.

Section 1. Be it enacted by the General Assembly of the State of South Carolina, That the Secretary of State be, and he is hereby, required to publish in the same volume containing the Acts and Joint Resolutions of this General Assembly, with proper index, the following Acts passed and ratified by the General Assembly of 1894, but inadvertently omitted from the published Acts and Joint Resolutions of

A. D. 1896.

said year, to wit: "An Act to dispense with the publication annually of the itemized statement of their disbursements by the County Treasurers for Fairfield, Chesterfield, Clarendon, Williamsburg, Abbeville, Edgefield, Sumter, Colleton, Chester, Orangeburg, Greenville, Darlington, York, Pickens, and Aiken Counties"; "An Act to fix the price of public advertisements"; "An Act to declare the salary of the County Supervisors and the salary and mode of selection of a Secretary so far as relates to the Counties of Sumter, Barnwell, Aiken and Marion, and to declare the salary of the Supervisor for Lancaster County"; "An Act to amend 'An Act to provide a system of County government for the several Counties of the State,' corresponding with Article I of Chapter XX of the Revision of 1893"; "An Act granting to the United States the title of this State to, and the jurisdiction of this State over, certain lands on Sullivan's Island, in Charleston County, as sites for fortifications."

Approved the ninth day of March, A. D. 1896.

The following Acts are published in compliance with the above Joint Resolution :

AN ACT to Declare the Salary of the County Supervisors and the Salary and Mode of Selection of a Secretary so Far as Relates to the Counties of Sumter, Barnwell, Aiken and Marion, and to Declare the Salary of the Supervisor for Lancaster County.

Salaries of Supervisors in certain Counties.

Section 1. Be it enacted by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the salaries of the Supervisors of the Counties of Sumter, Aiken and Marion shall be eight hundred dollars per annum, payable as now provided by law.

In Lancaster County.

Section 2. That the salary of Supervisor for Lancaster County shall be five hundred dollars per annum, payable as now provided by law.

Commissioners in certain Counties may elect a Secretary.

Section 3. That the County Board of Commissioners for the Counties of Sumter, Barnwell, Aiken and Marion shall, at their first meeting, proceed to elect a secretary of said Board; but the said secretary may or may not be a member

of the County Board of Commissioners. His duties shall be as prescribed in "An Act to provide a system of County government for the several Counties of the State," approved January 4th, 1894. Said secretary shall receive as compensation two hundred dollars, payable in same manner as the County Supervisor.

A. D. 1896.

Salary of.

Section 4. That all Acts or parts of Acts inconsistent with this Act be, and they are hereby, repealed.

Section 5. This Act shall take effect immediately upon its approval.

Approved December 24th, A. D. 1894.

AN ACT to Amend "An Act to Provide a System of County Government for the Several Counties of the State," Corresponding with Article I. of Chapter XX. of the Revision of 1893.

Section 1. Be it enacted by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That Section 9 of said Act, being 650 of the Revised Statutes of South Carolina, Volume I, be, and the same is hereby, amended by inserting after the word "quorum," in the ninth line thereof, the following: "Except in Charleston County, where the regular meetings of the said Board shall be held on the first Monday of every month." So that the said Section shall read:

Section 9. Immediately after the appointment of the several Boards of Township Commissioners, and the election and qualification of the County Supervisor, or as soon thereafter as may be practicable, the said Supervisor shall call a meeting of said Board for the purpose of organization. And the County Board of Commissioners shall meet thereafter on the first Monday in January, April, July and October of each year, at the County Court House, for the transaction of business, and a majority of said Board shall constitute a quorum, except in Charleston County, where the regular meetings of the said Board shall be held on the first Tuesday of every month: Provided, That the Chairman of said Board may call an extra meeting at any time, and shall be required to do so upon the written re-

Organisation
of Township
Commissioners;
meetings of
County Boards
of Commission-
ers.

A. D. 1896.

quest of three members of the Board. That at the first meeting of said Board they shall elect one of their number who shall be a member of the State Board of Equalization, and who shall perform all the functions of said office as now provided by law.

Section 2. That Section 45 be, and the same is hereby, amended by adding thereto the following: "Except in Charleston County, where such salary shall be paid on the first of every month, in the same manner as other County officers are paid." So that said Section will read:

Salaries of Supervisors; how paid.

Section 45. That the salaries of the Supervisor in the several Counties shall be paid quarterly, by the County Treasurers out of the County funds, in the same manner as other claims against the County are paid, except in Charleston County, where such salary shall be paid on the first of every month, in the same manner as other County officers are paid.

Section 49 amended.

Section 3. That Section 49 be, and the same is hereby, amended by striking out the figures 1,000 in the eighth line thereof and inserting the figures 1,200, so that the salary of the Supervisor of Charleston County shall be twelve hundred dollars per annum.

Approved January 5th, A. D. 1895.

AN ACT Granting to the United States the Title of This State to, and the Jurisdiction of This State Over, Certain Lands on Sullivan's Island, in Charleston County, as Sites for Fortifications.

Jurisdiction over certain lands on Sullivan's Island given to the U. S.

Section 1. Be it enacted by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the right, title and interest of this State to, and the jurisdiction and control of this State over, the following described tracts or parcels of land and land covered with water, situated in the town of Moultrieville on Sullivan's Island, in the County of Charleston, in this State, be, and the same are hereby, granted and ceded to the United States of America as sites for the location, construction and prosecution of works of fortifications and coast de-

A. D. 1898.


fenses, to wit: All that tract or parcel of land and land covered with water bounded as follows: Beginning at the point of intersection of the Eastern boundary line of the Fort Moultrie military reservation with the line of the Southern side of Beach Avenue, and running thence along the Southern side of said Beach Avenue, in an Easterly direction, to its intersection with the Western side of Sumter street; thence along the Western side of Sumter street and along the Western side of Sumter street extended, in a Southerly direction, to a point in the sea one hundred yards beyond low water mark; thence in a Westerly direction, following the meanderings or intersections of a line in the sea one hundred yards beyond low-water mark to the Eastern boundary line of the Fort Moultrie military reservation extended, and thence along the Eastern boundary line of the Fort Moultrie military reservation extended, and along said Eastern boundary line, in a Northerly direction, to the place of beginning. Also, all that tract or parcel of land and land covered with water bounded as follows: Beginning at a point in the sea on the prolongation or extension, in a Southerly direction, of the dividing line between Lot T and Lot U, as laid down on the plan of said town of Moultrieville, one hundred yards beyond low-water mark, and running thence in a Northerly direction, along the prolongation or extension of said dividing line, along said dividing line, and the line that divides Lot No. 224 from Lot No. 225, as laid down on the plan of said town of Moultrieville, to the Southerly side of Ion street; thence in an Easterly direction, along the Southerly side of Ion street, to the point of intersection of the Southerly side of that street with the dividing line between Lot No. 256 and Lot. No. 257, as laid down on the plan of said town of Moultrieville; thence in a Southerly direction, along the dividing line between said Lots Nos. 256 and 257, and the dividing line between Lot No. 260 and Lot No. 261, as laid down on the plan of said town of Moultrieville, and the prolongation or extension of said dividing lines, to a point in the sea one hundred yards beyond low-water mark; thence in a Southwesterly direction, following the meanderings or indentations of a line in the sea one hundred yards beyond low-water mark to the place of beginning, excepting from the tract or parcel of land so described, and hereby ceded, the

A. D. 1868.

Reservation.

Condition of
the grant.

United States jetty reservation. Also, all that tract or parcel of land and land covered with water bounded as follows: Beginning at a point in the sea on the prolongation or extension, in a Northerly direction, of the Easterly side of Horry street, one hundred yards beyond low-water mark, and running thence, in a Southerly direction, along the prolongation of the Easterly side of said Horry street, and along the Easterly side of said street to its intersection with the Northerly side of East Middle street or Beach avenue; thence in an Easterly direction, along the Northerly side of said East Middle street or Beach avenue, to the point of intersection of the Northerly side of that street with the dividing line between Lot No. 269 and Lot 270, as laid down on the plan of said town of Moultrieville; thence in a Northerly direction along the dividing line between said Lots Nos. 269 and 270 and the dividing line between Lot No. 265 and Lot No. 266, as laid down on the plan of said town of Moultrieville, and the prolongation of said dividing lines, to a point in the sea one hundred yards beyond low-water mark; thence in a Southwesterly direction, following the meanderings or indentations of a line in the sea one hundred yards beyond low-water mark, to the place of beginning: Provided, That there is hereby reserved to this State a concurrent jurisdiction for the execution within said lands of all process, civil or criminal, lawfully issued by the Courts of the State and not incompatible with this cession.

Section 2. The grant hereinbefore made is upon the condition that the said grant shall not be effectual as to any portion of the premises embraced in the foregoing description in which any person or persons have now any right, title or interest, or upon which any person or persons now own or have any structures or improvements, until the United States of America shall have compensated such person and persons for such right, title and interest, and for such buildings, structures and improvements, and acquired the title of such person and persons thereto; and said grant shall not be effectual until the United States of America shall have further compensated the parties who, at and before the cession of said jetty reservation, owned like interests or owned structures and improvements upon the territory heretofore ceded by this State to the United States of America for a jetty reservation.

Section 3. That in case of the failure of the United States of America and any persons interested as aforesaid, or owner as aforesaid, to agree upon the proper compensation to be paid as above provided the United States of America is authorized to have the same determined by the verdict of a jury upon application by petition to the Court of Common Pleas for Charleston County, which shall be served as by law a summons in a civil action in said Court is required to be served, and the same shall be heard without delay at a term of said Court and under the direction of the presiding Judge thereof, and such determination shall be final and without appeal; and upon the amount so found being paid, with the cost of Clerk and Sheriff, if any, the right and title of the parties thereto shall vest in the United States of America.

A. D. 1896.

Compensation,
how determined

Section 4. Be it further enacted, That all streets, roads and highways within the said tracts or parcels of land are vacated and discontinued from the time the said grant becomes effectual: Provided, That there is hereby reserved to this State a concurrent jurisdiction for the execution within said land of all process, civil or criminal, lawfully issued by the Courts of the State and not incompatible with this session.

Streets, &c.,
included in
above grant
vacated.

Approved December 24th, A. D. 1894.

The following Acts passed at the regular session of 1894 were not approved by the Governor, but have become law without his approval, by virtue of the provisions of Section 22 of Article III of the Constitution of 1868, and Section 23 of Article IV of the Constitution of 1895:

AN ACT to Fix the Price of Public Advertisements.

Section 1. Be it enacted by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That from and after the passage of this Act the pay for advertisements of notices of elections, rewards, reports and all other matters required by law to be published shall be paid for at the rate of one dollar per one hundred words for the

Pay for legal
advertising.

A. D. 1896.

first insertion and fifty cents per one hundred words for each subsequent insertion: Provided, That the caption to notices shall be at the rate of five cents per word.

Section 2. That all Acts or parts of Acts inconsistent with this Act be, and the same are hereby, repealed.

AN ACT to Dispense with the Publication Annually of the Itemized Statements of Their Disbursements by the County Treasurers of Fairfield, Chesterfield, Clarendon, Williamsburg, Abbeville, Edgefield, Sumter, Colleton, Chester, Orangeburg, Greenville, Darlington, York, Pickens and Aiken Counties.

Certain County Treasurers forbidden to publish annual itemized reports

Section 1. Be it enacted by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That on and after the passage of this Act the County Treasurers of Fairfield, Chesterfield, Clarendon, Williamsburg, Abbeville, Edgefield, Sumter, Colleton, Chester, Orangeburg, Greenville, Darlington, York, Pickens and Aiken Counties shall not be required or allowed at public expense to publish annually the itemized statements of their disbursements.

APPENDIX.

LIST OF CHARTERS

GRANTED BY THE SECRETARY OF STATE,

During the last fiscal year, published as required by Section 55, Revised Statutes of 1893.

AIKEN MANUFACTURING COMPANY.—Location, Aiken, S. C. Capital stock, \$400,000; share, \$100. Business, cotton manufacturing. Date, May 8th, 1895.

D. W. ALDERMAN & SONS COMPANY.—Capital stock, \$150,000; share, \$500. Business, farming, merchandising and lumber. Date, August 17th, 1895.

AMERICAN SPINNING COMPANY.—Location, Greenville, S. C. Capital stock, \$125,000; share, \$100. Business, cotton manufacturing. Date, June 10th, 1895.

ANDERSON TELEPHONE COMPANY.—Location, Anderson, S. C. Capital stock, \$1,000; share, \$25. Business, telephone exchange. Date, February 9, 1895.

ATLAS FIRE INSURANCE Co.—Location, Columbia, S. C. Capital stock, \$300,000; share, \$100. Business, insurance. Date, January 25, 1895.

BAMBERG COTTON MILLS.—Location, Bamberg, S. C. Capital stock, \$40,000; share, \$100. Business, cotton manufacturing. Date, August 1st, 1895.

BAMBERG SPOKE AND HANDLE MANUFACTURING COMPANY.—Location, Bamberg, S. C. Capital stock, \$5,000; par value share, \$100. Business, spoke and handle manufacturing. Date of issue, 18th May, 1895.

BANK OF LAURENS.—Location, Laurens, S. C. Capital stock, \$50,000; share, \$100. Business, banking. Date, October 29th, 1895.

BAY FISH Co.—Location, Charleston, S. C. Capital stock, \$2,500; share, \$25. Business, marketing. Date, January 1, 1895.

THE BRIDGERS & McKEITHEN LUMBER Co.—Location, Lucknow, S. C. Capital stock, \$5,000; share, \$50. Saw milling and general store. Date, July 26, 1895.

BROWN, EVANS & Co.—Location, Charleston, S. C. Capital stock, \$60,000; share, \$100. Business, mercantile, shoes and clothing. Date, November 28, 1894.

D. BURFORD COMPANY.—Location, Calhoun Falls, S. C. Capital stock, \$1,000; share, \$10. Business, mercantile. Date, May 6th, 1895.

THE BURROUGHS & COLLINS COMPANY.—Location, Conway, S. C. Capital stock, \$100,000; share, \$500. Business, real estate, mercantile, naval stores, farming, milling. Date, 15th July, 1895.

THE BRYANT & THOMPSON COMPANY.—Location, Orangeburg, S. C. Capital stock, \$3,000; share, \$20. Business, general mercantile. Date, September 20th, 1895.

CAROLINA MILLS Co.—Location, Columbia, S. C. Capital stock, \$100,000; share, \$100. Business, cotton manufacturing. Date, July 23, 1895.

THE CAROLINA COAL COMPANY.—Location, Greenville, S. C. Capital stock, \$1,000; share, \$20. Business, buying and selling wood, coal and ice. Date, August 17th, 1895.

THE CAMDEN PRESS BRICK COMPANY.—Location, Camden, S. C. Capital stock, \$10,000; share, \$100. Business, press brick manufacturing. Date, March 16, 1895.

CHARLESTON METALLIC PACKING Co.—Location, Charleston, S. C. Capital stock, \$8,000; share, \$100. Business, metallic packing. Date, July 18, 1895.

CHERAW KNITTING MILLS.—Location, Cheraw, S. C. Capital stock, \$10,000; share, \$100. Business, knitting. Date, March 27th, 1895.

CITIZENS BUILDING AND LOAN ASSOCIATION.—Location, Gaffney City, Gaffney, S. C. Capital stock, \$50,000; share, \$100. Business, building and loan. Date, 15th July, 1895.

COLLETON LAND AND IMPROVEMENT COMPANY.—Location, Walterboro, S. C. Capital stock, \$10,000; share, \$100. Business, real estate. Date, May 9th, 1895.

THE COLLETON COTTON MILLS.—Location, Walterboro, Colleton County, S. C. Capital stock, \$100,000; share, \$100. Business, cotton manufacturing. Date, June 11th, 1895.

COLUMBIAN INVESTMENT COMPANY.—Location, Charleston, S. C. Capital stock, \$3,000 ; share, \$25. Business, real estate and personalty and to lend money. Date, 20th May, 1895.

COTTON STATES FERTILIZER COMPANY.—Location, Charleston, S. C. Capital stock, \$200,000 ; share, \$100. Business, fertilizers. Date, October 2d, 1895.

THE CO-OPERATIVE MUTUAL LIFE INSURANCE COMPANY.—Location, Greenwood, S. C. Capital stock, \$500 ; share, \$20. Business, life insurance. Date, March 23d, 1895.

DESPORTES MERCANTILE COMPANY.—Location, Winnsboro, S. C. Capital stock, \$10,000 ; share, \$500. Business, general mercantile, personal property and real estate. Date, August 23d, 1895.

THE DARLINGTON TOBACCO MANUFACTURING COMPANY.—Location, Darlington, S. C. Capital stock, \$10,000 ; share, \$25. Business, manufacturing cigars and chewing and smoking tobacco. Date, 22d May, 1895.

THE DRAKE-INNES-GREEN SHOE COMPANY.—Location, Charleston, S. C. Capital stock, \$40,000 ; share, \$500. Business, shoes and general merchandise. Date, August 10th, 1895.

EDGEFIELD MANUFACTURING COMPANY.—Location, Edgefield, S. C. Capital stock, \$100,000 ; share, \$100. Business, manufacturing cotton goods. Date, August 15th, 1895.

THE EDGEFIELD OIL COMPANY.—Location, Edgefield, S. C. Capital stock, \$50,000 ; share, \$100. Business, cotton seed oil, &c. Date, April 12, 1895.

EMERY HIGH SCHOOL.—Location, Mt. Willing, S. C. Capital stock, \$1,400 ; share, \$25. Business, high school. Date, May 23, 1895.

EQUITABLE BUILDING AND LOAN ASSOCIATION.—Location, Charleston, S. C. Capital stock, \$150,000 ; share, \$100. Business, building and loan. Date, April 29th, 1895.

EVENING POST PUBLISHING COMPANY.—Location, Charleston, S. C. Capital stock, \$10,000 ; share, \$50. Business, general publishing. Date, December 4, 1894.

EXCELSIOR OIL, FERTILIZER AND GINNING COMPANY.—Location, Anderson, S. C. Capital stock, \$5,000 ; share, \$25. Business, oil, fertilizers and ginning. Date, September 21st, 1895.

FURMAN-RABB COMPANY.—Location, Greenville, S. C. Capital stock, \$10,000 ; share, \$100. Business, manufacturing and selling tobacco and smoking utensils. Date, 22d May, 1895.

GEORGE OFFICER Co.—Location, Eddy Lake, Horry County, S. C. Capital stock, \$25,000; share, \$100. Business, general merchandise and real estate. Date, March 1, 1895.

GERMAN AMERICAN BUILDING AND LOAN ASSOCIATION.—Location, Charleston, S. C. Capital stock, \$100,000; share, \$100. Business, building and loan. Date, March 6, 1895.

GOSSETT & MAHON COMPANY.—Location, Pelzer, S. C. Capital stock, \$40,000; share, \$25. Business, mercantile. Date, April 18th, 1895.

GRANBY COTTON MILLS.—Location, Columbia, S. C. Capital stock, \$150,000; share, \$100. Business, cotton manufacturing. Date, September 11th, 1895.

THE GREENVILLE CLOTHING AND SHOE COMPANY.—Location, Greenville, S. C. Capital stock, \$15,000; share, \$100. Business, clothing and shoes. Date, 7th August, 1895.

THE GREENWOOD WHEELMAN'S ASSOCIATION.—Location, Greenwood, S. C. Capital stock, \$1,000; share, \$5. Business, base ball park and bicycle track. Date, July 31, 1895.

THE J. W. GIBBES STATIONERY COMPANY.—Location, Columbia, S. C. Capital stock, \$8,000; share, \$100. Business, general stationery, mercantile and job printing. Date, July 29, 1895.

HOPKINS ECONOMY SOCIETY.—Location, Hopkins, S. C. Capital stock, \$2,000; share, \$10. Business, mercantile, real estate, farming and milling. Date, July 31st, 1895.

THE HUNTING ISLAND LAND COMPANY.—Location, Bluffton, S. C. Capital stock, \$50,000; share, \$100. Business, real estate. Date, October 23d, 1895.

THE KERSHAW BANKING AND MERCHANDISE COMPANY.—Location, Kershaw P. O., S. C. Capital stock, \$25,000; share, \$100. Business, banking and merchandise. Date, March 14, 1895.

KETCHIN MERCANTILE COMPANY.—Location, Winnsboro, S. C. Capital stock, \$4,000; share, \$100. Business, mercantile. Date, September 23d, 1895.

LAURENS TELEPHONE COMPANY.—Location, Laurens, S. C. Capital stock, \$1,000; share, \$5. Business, telephone. Date, June 24th, 1895.

THE LANCASTER COTTON MILLS.—Location, Lancaster, S. C. Capital stock, \$150,000; share, \$100. Business, cotton manufacturing. Date, August 2d, 1895.

THE LANCASTER COUNTY BUILDING AND LOAN ASSOCIATION.—Location, Lancaster, S. C. Capital stock, \$50,000 ; share, \$100. Business, building and loan. Date, April 10, 1895.

THE LAURENS COTTON MILLS.—Location, Laurens, S. C. Capital stock, \$200,000 ; share, \$100. Business, cotton manufacturing. Date, August 7th, 1895.

LEWISVILLE MILLS.—Location, Chester, S. C. Capital stock, \$75,000 ; share, \$100. Business, cotton manufacturing, etc. Date, December 22, 1894.

LINDSAY DRY GOODS Co.—Location, Rock Hill, S. C. Capital stock, \$2,000 ; share, \$100. Business, general merchandise. Date, January 1, 1895.

J. J. LITTLEJOHN Co.—Location, Jonesville, S. C. Capital stock, \$3,000 ; share, \$100. Business, mercantile and live stock. Date, October 29th, 1895.

LOCKHART MILLS.—Location, Lockhart, Union County, S. C. Capital stock, \$500,000 ; share, \$100. Business, cotton mill. Date, February 9, 1895.

MARSHALL, WESTCOAT & Co.—Location, Charleston, S. C. Capital stock, \$100,000 ; share, \$500. Business, hardware and agricultural. Date, May 30, 1895.

THE MANHATTAN INVESTMENT ASSOCIATION.—Location, Camden, S. C. Capital stock, \$1,000 ; share, \$100. Business, real estate and stocks. Date, April 10, 1895.

MCMASTER COMPANY.—Location, Winnsboro, S. C. Capital stock, \$3,000 ; share, \$50. Business, mercantile. Date, September 10th, 1895.

THE MCCREERY LAND AND INVESTMENT COMPANY.—Location, Columbia, S. C. Capital stock, \$100,000 ; share, \$100. Business, real estate and brokerage. Date, February 16, 1895.

MILER HARDWARE COMPANY.—Location, Charleston, S. C. Capital stock, \$25,000 ; share, \$100. Business, general hardware. Date, May 10th, 1895.

THE MILLS MANUFACTURING COMPANY.—Location, Greenville, S. C. Capital stock, \$100,000 ; share, \$100. Business, cotton manufacturing. Date, 8th July, 1895.

THE MUTUAL B. AND L. ASSOCIATION.—Location, Charleston, S. C. Capital stock, \$150,000 ; share, \$100. Business, building and loan. Date, October 14th, 1895.

THE MUTUAL INVESTMENT COMPANY.—Location, Charleston, S. C. Capital stock, \$1,000 ; share, \$25. Business, brokerage and real estate. Date, October 30th, 1895.

NEWBERRY MANUFACTURING COMPANY.—Location, Newberry, S. C. Capital stock, \$2,000 ; share, \$10. Business, lumber and manufacturing. Date, March 12, 1895.

THE NEWBERRY CLOTHING Co.—Location, Newberry, S. C. Capital stock, \$10,000 ; share, \$100. Business, clothing. Date, July 27, 1895.

NORRIS-COTTON MILL COMPANY.—Location, Central, S. C. Capital stock, \$100,000 ; share, \$100. Business, cotton manufacturing. Date, June 20th, 1895.

OAKWAY GRANGE STORE.—Location, Oakway, Oconee County, S. C. Capital stock, \$5,000 ; share, \$50. Business, general merchandise. Date, February 6, 1895.

THE PALMETTO MILLING AND COMMISSION Co.—Location, Columbia, S. C. Capital stock, \$6,000 ; share, \$100. Business, milling and grocery. Date, January 10, 1895.

THE EDWARD PERRY Co.—Location, Charleston, S. C. Capital stock, \$50,000 ; share, \$100. Business, stationers, printers, bookbinders, &c. Date, August 5th, 1895.

A. C. PHELPS COMPANY.—Location, Sumter, S. C. Capital stock, \$10,000 ; share, \$100. Business, real estate. Date, January 7, 1895.

PIEDMONT TOBACCO WORKS.—Location, Rock Hill, S. C. Capital stock, \$40,000 ; share, \$100. Business, manufacturing tobacco. Date, March 12, 1895.

PLANTERS' WAREHOUSE COMPANY.—Location, Mullins, S. C. Capital stock, \$2,000 ; share, \$25. Business, warehouse. Date, April 22d, 1895.

THE PRESBYTERIAN FEMALE SEMINARY.—Location, Greenville, S. C. Capital stock, \$20,000 ; share, \$25. Business, female seminary. Date, October 28th, 1895.

THE F. W. POE MANUFACTURING COMPANY.—Location, Greenville, S. C. Capital stock, \$250,000 ; share, \$100. Business, cotton manufacturing. Date, March 26th, 1895.

PROSPERITY COTTON MILLS.—Location, Prosperity, S. C. Capital stock, \$50,000 ; share, \$100. Business, cotton manufacturing. Date, October 17th, 1895.

PROTECTIVE FIRE INSURANCE COMPANY.—Location, Charleston, S. C. Capital stock, \$10,000 ; share, \$100. Business, fire insurance. Date, May 14, 1895.

RICHLAND COTTON MILLS.—Location, Columbia, S. C. Capital stock, \$150,000; share, \$100. Business, cotton mill. Date, February 12, 1895.

RICHLAND STORE COMPANY.—Location, Columbia, S. C. Capital stock, \$8,000; share, \$100. Business, cotton and general merchandise. Date, October 8th, 1895.

ROCK HILL TELEPHONE COMPANY.—Location, Rock Hill, S. C. Capital stock, \$5,000; share, \$100. Business, telephone exchange. Date, December 21, 1894.

SAXE GOTHA MILLS.—Location, Irene, Lexington County, S. C. Capital stock, \$50,000; share, \$100. Business, cotton manufacturing. Date, April 12, 1895.

SELLARS LUMBER COMPANY.—Location, Sellars, Marion County, S. C. Capital stock, \$9,000; share, \$100. Business, saw mill. Date, February 2, 1895.

THE SENECA BANK.—Location, Seneca, S. C. Capital, \$30,000; share, \$100. Business, banking. Date, February 18, 1895.

SHEPHERD SUPPLY COMPANY.—Location, Charleston, S. C. Capital stock, \$20,000; share, \$100. Business, tinware, stoves, &c. Date, March 27th, 1895.

THE SOUTH CAROLINA COEDUCATION INSTITUTE.—Location, Wiliston, S. C. Capital stock, \$5,000; share, \$10. Business, education. Date, 7th August, 1895.

SOUTHEASTERN LIME AND CEMENT Co.—Location, Charleston, S. C. Capital stock, \$8,000; share, \$50. Business, lime and building material. Date, January 8, 1895.

THE SOUTHERN SHUTTLE AND BOBBIN COMPANY.—Location, Westminster, S. C. Capital stock, \$5,000; share, \$50. Business, shuttles and bobbins. Date, August 14th, 1895.

STANDARD FERTILIZER MANUFACTURING COMPANY.—Location, Charleston, S. C. Capital stock, \$250,000; share, \$100. Business, fertilizers. Date, June 4th, 1895.

THE STATE COMPANY.—Location, Columbia, S. C. Capital stock, \$10,000; share, \$25. Business, newspaper. Date, June 24th, 1895.

THE J. H. STEINMEYER COMPANY.—Location, Charleston S. C. Capital stock, \$10,000; share, \$100. Business, lumber and manufacturing. Date, March 5, 1895.

THE SUMTER DRY GOODS COMPANY.—Location, Sumter, S. C. Capital stock, \$6,000; share, \$100. Business, general mercantile. Date, August 14th, 1895.

THE SUMTER TOBACCO AND WAREHOUSE COMPANY.—Location, Sumter, S. C. Capital stock, \$5,000; share, \$100. Business, storing, buying and selling tobacco. Date, May 13, 1895.

SUMMERVILLE SAVINGS BANK AND INVESTMENT COMPANY.—Location, Summerville, S. C. Capital stock, \$25,000; share, \$100. Business, banking, personal and real property. Date, September 27th, 1895.

SUMMERVILLE BEEF AND PRODUCE COMPANY.—Location, Summerville, S. C. Capital stock, \$1,000; share, \$10. Business, beef and produce. Date, October 17th, 1895.

THE TERRY FISH COMPANY.—Location, Charleston, S. C. Capital stock, \$5,000; share, \$200. Business, fish and game and general commission. Date, August 27th, 1895.

UNION REAL ESTATE AGENCY.—Location, Union, S. C. Capital stock, \$1,000; share, \$10. Business, real estate. Date, May 31, 1895.

UNION TELEPHONE Co.—Location, Union, S. C. Capital stock, \$1,000; share, \$100. Business, telephone exchange. Date, March 25th, 1895.

VICTOR MANUFACTURING COMPANY.—Location, Greer's, S. C. Capital stock, \$50,000; share, \$100. Business, cotton manufacturing. Date, September 17th, 1895.

WALHALLA CANNING COMPANY.—Location, Walhalla, S. C. Capital stock, \$1,000; share, \$10. Business, canning. Date, 2d August, 1895.

WALHALLA COTTON MILLS.—Location, Walhalla, S. C. Capital stock, \$75,000; share, \$100. Business, cotton manufacturing. Date, 23d May, 1895.

THE WEST END BATH HOUSE COMPANY.—Location, Charleston, S. C. Capital stock, \$2,500; share, \$10. Business, public bath house. Date, May 11, 1895.

THE WINNSBORO AND RIDGEWAY TELEPHONE COMPANY.—Location, Winnsboro, S. C. Capital stock, \$300; share, \$5. Business, telephone. Date, April 23d, 1895.

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